UNIVERSITY OF TORONTO
3 1761 01059256 6

HANDBOUND
AT THE

UNIVERSITY OF
TORONTO PRESS

4792 A

MEMORIALS

OF THE ENGLISH AFFAIRS

FROM

THE BEGINNING OF THE

REIGN OF CHARLES THE FIRST

TO THE

HAPPY RESTORATION

OF KING CHARLES THE SECOND.

BY

BULSTRODE WHITELOCK.

A NEW EDITION, IN FOUR VOLUMES.

VOL. III.

Quæque ipse miserrima vidi,
Et quorum magna pars fui. VIRG. Æn. ii. 8.

OXFORD:
AT THE UNIVERSITY PRESS.
M.DCCC.LIII.

11481 2
7 | 6 | 11

DA
400
W5
1853
V. 3

MEMORIALS

OF

THE ENGLISH AFFAIRS

DURING THE REIGN OF

KING CHARLES THE FIRST.

---

26. THE house sat not.

The council of the army agreed, for encouragement of those who shall engage for Ireland, that they shall have three months advance of their pay and of their arrears, and if they be slain, those to have it to whom they shall assign it; that a court of admiralty be in Ireland, &c.: these things to be proposed to the house for their confirmation. Anno 1649. March 26.

Letters from Ireland of Ormond's preparations for his forces; that the Ulster Scots declared against the parliament, and declined Monk; that the parliament's army there are in great want, and their interest in danger to be wholly lost in that kingdom. Ireland.

The heads of the articles of peace made by Ormond were, Irish peace.

1. That the Roman catholics of Ireland have free exercise of religion, all penalties to be taken off, not to be obliged to the oath of supremacy, to enjoy church livings in their possession and jurisdiction.

2. For a parliament, when the catholics shall desire it.

3. All laws made in England since 1641, in blemish of the catholics, to be vacated.

4. All indictments against them since that time to be vacated.

5. That catholics may be elected, and vote in parliament.

6. Debts to remain as in 40.

7. The estates of freeholders in Connaught, &c. to be secured.

8. All incapacities of the natives to be taken away.

9 All honours, trusts, employments, &c., to be conferred on the catholics as well as protestants.

10. That the king take 2000*l.* per annum for the court of wards.

11. Noblemen to have but two proxies in parliament.

12. The depending of the parliament of Ireland upon England to be as both shall agree, to stand with the laws of Ireland.

13. That the council-table meddle only with state matters.

14. Act against transporting wool to be null.

15. Those wronged by grants to have relief.

16. Wronged persons to have right.

17. Restitution of estates.

18. An act of oblivion to pass.

19. Customs not to be farmed, and monopolies to be taken away.

20. The court of castle-chamber to be regulated.

21. Acts forbidding ploughing with horses by the tail, and burning oats in the straw, to be nulled.

22. An act to take off grievances.

23. Maritime causes to be determined in Ireland.

24. No rents to be raised under pretence of defective titles.

25. Interest money to be forgiven from 1641.

26. All this to be acted till a parliament agree it.

27. That the catholic commissioners agree upon such as shall be justices of peace, and hear all causes under 10*l.*

28. All governors of forces to be by approbation of the catholic commissioners.

29. None of the king's rents to be paid till a further settlement by parliament.

30. Power of the commissioners of oyer and terminer.

31. Differences in Ireland to be tried there, and not in England.

32. The Roman clergy not to be molested.

33. That his majesty grant whatever else is necessary for the catholics.

Prince Rupert was upon the Irish coast with sixteen ships; many vessels were taken by him.

A petition to the general and his general council of war, from the well-affected inhabitants of Lincolnshire, much to the same effect with others lately presented to him and to the parliament, and which are beforementioned.

Cromwell. Two men measuring some ground in Windsor forest were asked by what authority they did it; they showed a kind of warrant from lieutenant-general Cromwell, desiring all officers

of the forest, soldiers and others, to permit these men to set out some land, &c., in regard there was no *justice in eyre.*

It were to be wished that such men as lieutenant-general Cromwell would not so irregularly meddle with such matters as these are. The men were forbidden to make any divisions of the land or ditches about it till further order.

27. A declaration passed, that a book lately published, entitled, *The second part of England's new chains discovered,* contained matter false, scandalous, seditious, mutinous, and tending to raise a new war; that the authors and publishers of it were guilty of treason, and referred to the council to find them out. 392 Pamphlet.

Letters from major-general Lambert, with the articles of the surrender of Pontefract-castle.

A letter and petition from the grand jury of Yorshire, acknowledging with humble thanks the justice of the parliament in their late proceedings, and engaging to join with them, and desiring Pontefract-castle may be demolished, and some other forts thereabouts. Yorkshire.

Vote for 300*l.* per annum to be settled on major-general Lambert out of Pontefract honour, for his good service.

The Lancashire forces submitted to disband, and quitted Clithero-castle. Order for that castle to be demolished, and that the council of state consider what other inland castles are fit to be demolished.

Sir Henry Cholmly sent for upon complaints against him.

Instructions for the Scots commissioners to their new king were,

Scots instructions.

1. That he take the covenant.

2. To put from him all who have assisted his father in the war, particularly Montrose, else not to treat with him.

3. To bring but one hundred with him into Scotland, and none who have assisted his father in arms.

4. To bring no forces into Scotland from other nations without their consent.

The marquis of Huntley was beheaded at the cross in Edinburgh. Huntley.

Letters from the Hague, that the queen of England invited prince Charles her son into France; that the States inhibited their ministers from insisting upon matters of state Dutch.

and in their pulpits, and particularly not to meddle with England's or other kingdoms' proceedings.

Ireland. 28. Upon a report from the council of state of the particulars for encouragement of those who shall engage for Ireland with lieutenant-general Cromwell, the house referred them back again to the council to perfect.

Upon a report from them of the earl of Ormond's proclaiming the king in Ireland, &c., the house voted the earl a traitor, and an act to be brought in to attaint him.

Order for a letter of thanks to colonel Jones, and a gratuity.

Preachers. Order that no ministers shall teach in their pulpits any thing relating to state affairs, but only to preach Christ in sincerity; and an act to be brought in for penalties to those who shall do otherwise.

Orders for money given away.

A new day given to the lord mayor to conform to the order for proclaiming the act against kingship, or to give an account to the house why he hath not done it.

29. The house sat not.

The council of state upon examination of Lilburn, Walwin, and others, who owned the book, called, *England's new chains*, did commit them to the Tower.

Ministers. The estates of the Netherlands summoned and examined their ministers, and disallowed what they had done in relation to king Charles II, and forbad them all to meddle with state matters in their pulpits without leave of the magistrate.

Cromwell. The council of state perfected the particulars for encouragement of those who shall engage for Ireland, and lieutenant-general Cromwell declared himself willing to undertake that service.

30. Vote that Gresham college be not exempted from the assessment to the army, nor the doctors in Doctors' Commons, nor the counties in Wales formerly exempted.

Order that the speaker do sign such letters as shall be thought fit by the council of state, to the states of Hamburgh, touching merchants.

Southwark. Upon a petition of the borough of Southwark, of the inequality of their rates with the county of Surrey, the house

held their desires just, and ordered that in all future rates they should pay the eighth part of that assessed upon the county of Surrey.

Order for the committee of Goldsmiths'-hall to form the votes concerning compositions of delinquents, and to have them printed and published, that none may plead ignorance of them.

Referred to the committee of the army to make provision of four thousand cassocks and breeches, to be disposed of by the general to his foot-soldiers, in regard of the smallness of their pay.

Upon the report of alderman Atkins, that the lord mayor desired to be excused from proclaiming the act for abolishing kingly government, the house ordered that he be summoned to attend at the bar to answer his contempt and disobedience herein. London.

31. Upon a report from the council of state, that lieutenant-general Cromwell accepted of the service for Ireland, and would endeavour to the utmost of his power, with God's assistance, to carry on that work against the rebels and all that adhere to them; Cromwell.

Voted, that the house doth approve of lieutenant-general Cromwell to be commander-in-chief of all the forces sent into Ireland.

And to take off any reflection upon the general, or dislike by him, they also voted,

That the lord Fairfax be general of all the forces in England and Ireland. Fairfax.

At the council of state we had variety of intelligence, some good, but more bad.

We gave a despatch to colonel Potley to go for Denmark and Sweden, to send us from those parts intelligence, and we gave him 200*l.* in hand, and promised him 100*l.* more for one year's entertainment. C. Potley.

He married the daughter of my father's elder brother, Richard Whitelocke, who lived most of his days in Germany and Poland, and was in great favour with that king. A young gentlewoman of a noble family in Prussia fell in love with him, and married him: by her he had many children.

He was as fit as any man for this service, had lived long

in those countries a soldier, well known and esteemed by the grandees, especially in Germany and in the court of Sweden: I recommended him to this employment, which was of great consequence to us.

The profits of my office did not amount to so much as I was in a way of gaining by my profession, and the envy and want of freedom in the place of a commissioner of the seal is much more than as a practiser at law.

Yet by my denial of private applications and informations in causes depending before me, I did something enlarge my vacancy from trouble.

393 The charge of my living was increased by my office, and I spent much more than I gained, to which the style of lords commissioners, moved by Mr. Prideaux for the honour of the place, gave an addition.

April 1649.

Ld. mayor of London. 1. The lord mayor of London, alderman Reynoldson, attended the house at the bar, and being demanded why he disobeyed the orders of parliament for proclaiming the act against kingly government,

He pleaded scruple of conscience by his oath taken in the exchequer, and that he conceived the business only proper for the sheriff of the city.

After a long debate, the house voted, that the lord mayor, for his contempt, should be fined 2000*l.*; 500*l.* of it to the poor of London, 500*l.* to Westminster, 500*l.* to Southwark, and 500*l.* to the poor of the Tower Hamlets:

That he be committed prisoner to the Tower for two months, and degraded of his mayoralty; and that the common-council be required and authorized to elect a new mayor with all speed.

Petitions. A petition of divers of London and Westminster in the behalf of Lilburn, Walwin, Prince, and Overton, prisoners in the Tower, setting forth,

That the freedom of the people is, that none ought to be proceeded against nor punished but by a known law, and before ordinary judges; and the military power not to interpose but where the civil power fails.

They pray favour for the prisoners, and the union of the parliament party to be preserved.

A petition, with this title:

To the right honourable the commons of England assembled in parliament. Anabaptists.

The humble petition and representation of several churches of God in London, commonly, though falsely, called anabaptists.

They acknowledge the goodness of God to the parliament and kingdom, disown any consent to the book called, *The second part of England's new chains discovered,* justify their own principles, and obedience to authority, and pray the parliament to make good laws for the punishment of wickedness.

The house were satisfied with the disowning of the book, and their expressions to live peaceably, and in submission to the civil magistracy, which the speaker told them by direction of the house:

And that they and other Christians walking answerable to such professions, the house did assure them of liberty and protection, so far as God should enable them, in all things consistent with godliness, honesty, and civil peace.

The house finding inconvenience by their late sitting the last night, ordered to rise every day by one o'clock.

The votes of the house collected together touching excepted persons, and compositions of delinquents, were published.

Letters from Scotland of the execution of the marquis of Huntley, Marquis Huntley.

That a minister asking him a little before his execution, whether he desired absolution from the sentence of excommunication which he lay under, he answered, he would have nothing to do with him, nor with any that taught such heretical doctrine as he did, to speak to him.

In his speech to the people, the marquis told them, he was sentenced to lose his life for obedience to his sacred sovereign, to which this ought to encourage all men, and not to affright them; and that they should for that cause stoop to a scaffold, as if it were a theatre of honour in this world, as indeed it was a heavenly ladder.

That he only craved in his behalf the prayers of those among them that were of his opinion, without desiring the prayers of others whose spirits perchance might be otherwise inclined.

3. Debate of the act for sale of deans' and chapters' lands, and for sale of fee-farm rents of the king's.

Act committed, prohibiting ministers to meddle with state affairs, but to preach Jesus Christ.

Declaration of religion.

Order for a declaration about matters of religion, and settling of the church:

That tithes shall not be taken away till another maintenance be provided for the ministers, as large and as honourable as by tithes:

That as soon as such a way can be provided, tithes shall be then taken off; that the government to be established in England shall be the presbyterian government:

That a way shall be provided for admission of all such churches as tend to godliness, and to advance the kingdom of Jesus Christ, to be free, without disturbances:

Alderman Atkins.

Alderman Atkins was chosen lord mayor in the place of alderman Reynoldson, prisoner in the Tower, for the remainder of the year.

Letters of divers vessels taken by the Irish pirates.

Upon the coming of major-general Lambert into Lancashire, the two refractory regiments were disbanded.

The young lord Cromwell and colonel Werden and the lord Fitz-herbert's son were brought in prisoners to Chester.

Letters from the Hague, that the earl of Brentford was gone to Sweden to negotiate for assistance to prince Charles, and for that purpose letters were sent to the emperor and king of Spain.

That others advised the prince to go into Scotland, and become the head of the covenanters, whom he might cast off again as there should be occasion; but Montrose was against that, and that the sword was most honourable.

That Van Trump set out a declaration, and presented it to the prince, to his great satisfaction, as to sea affairs.

The mayor and divers citizens of Oxford were framing a petition to the parliament against some privileges claimed and exercised by the university in wrong of the city.

4. A petition from the well-affected in Blackburn hundred in Lancashire, mentioning their former assistance to the parliament, and the corrupt party in both houses, approving the purging thereof, and taking away the prerogative house of lords: their desires were to the same effect with those in other

petitions, complying with and approving all the late proceedings concerning the king and house of lords, and secluded members; and they had the thanks of the house for their good affections.

An act committed for prevention of the mischiefs by those who buy up many heads of cattle, and most of the granaries in the nation, to sell again at excessive rates.

Referred to a committee to draw the form of a new oath to be given to the new lord mayor of London and his successors, and the oath was presently drawn and assented to. 394 New oath.

Referred to the council of state, to give such order as they should think fit concerning the forces in Lancashire.

Debate of the acts for sale of deans' and chapters' lands; and voted, that all moneys due out of those lands for charitable uses should be paid according to the intent of the donors.

The court martial sat upon the trial of major-general Laugherne, colonel Poyer, and colonel Powel.

Colonel Morris, late governor of Pontefract-castle, and one cornet Blackburn, who had a hand in the death of colonel Rainsborough, and both excepted persons at the rendition of the castle, were taken at Lancaster in disguises.

Letters from Hamburgh, that colonel Cockeram and his servants there laid wait for the minister going to preach in the English house, and attempted to murder him, but he was rescued by the citizens.

We heard forty-five demurrers in the queen's court in the afternoon.

5. I attended the house, when they commanded me and my brother commissioner L'Isle to bring the great seal into the house, to lie upon the table for the more solemnity, because the new elected lord mayor was to be presented this day to the house for their approbation. We brought the seal accordingly, and at the door of the house I took the purse by one corner of it, L'Isle by the other, carried it up with usual reverences, and laid it on the table. We were both of us in our velvet gowns, the first time of our wearing of them.

The new lord mayor was according to order presented to the house by their common sergeant Mr. Proby, who made an indiscreet speech. The house ordered thanks to the aldermen and common hall for their good choice, which they approved of, but not of the speech of Mr. Proby. Ld. mayor.

Order to swear the lord mayor after the new oath.

An act committed touching compositions for delinquency and sequestrations, and giving an appeal to the barons of the exchequer, instead of the former appeal to the committee of lords and commons for sequestrations.

Reference to the committee of the navy of a complaint of the Spanish ambassador, and petition of parties interessed, concerning an old business of the Spanish ship taken by sir William Waller.

A committee appointed to receive complaints touching abuses in the forest of Dean, and destruction of the timber.

Ships. 6. A report from the council of state for sending out some ships speedily, and appointing commanders of them, was approved by the house, and referred back to the council to expedite the sending forth of those ships.

Vote, that the justices of peace in the several counties shall be commissioners in the act of assessment of 90,000*l.* per mensem for the forces; and the act was passed, and ordered to be printed.

Order, that the lord mayor and justices of peace in London do put in execution the statutes 5 Eliz. c. 4. and 1 Jac. c. 6. for settling the wages of artificers, and for their better relief in these dear times, and the like to be done by the justices of peace in all counties.

Petition. A petition from divers well-affected in Oxfordshire, with their desires, referred to a committee; and a petition from the city of Oxford, referred to the same committee: and the petitioners had the thanks of the house.

Order for the rents allotted to the prince elector to be paid unto him.

Order for Mr. Garland to bring in an act to remove all malignant and disaffected magistrates, and that they may be incapable of bearing any office in the commonwealth.

7. The act for the assessment of 90,000*l.* per mensem for the forces in England and Ireland passed, and ordered to be printed.

A committee appointed to advise with the general and officers of the army, how, upon the due payment of this 90,000*l.* per mensem, free quarter may be wholly taken off.

London. Order, that the four aldermen and the late lord mayor Reynoldson, now prisoners, be disabled from being alder-

men, and the common-council to elect new aldermen in their places.

Vote, that major-general Browne and sir John Clotworthy, prisoners, be brought to trial.

Captain Mountain proclaimed king Charles II. in Moulton in Yorkshire, and a parliamentman came into the town presently after, and did not question it.

9. The act passed touching compositions of delinquents.

Order for the committee of delinquents to bring in an act for rules of an act of oblivion, and that the committee of the army bring in an act for a committee and treasurers for the moneys for the army.

Upon a report from the council of state, lieutenant-general Cromwell, sir Henry Vane, junior, alderman Wilson, and others, were appointed to treat with the common-council of London for the borrowing of 120,000*l.* for the service of Ireland, upon security of the assessment of 90,000*l.* London.

Vote, that Mr. Prideaux be attorney-general to the state, and the commissioners of the seal to seal a patent to him for the same.

Orders for money for disbanding the Lancashire forces.

A committee appointed to receive informations against major-general Browne touching his engagement with the Scots, and with the earl of Holland, &c., and against sir William Waller, sir John Clotworthy, and Copley, and other prisoners. Prisoners.

Letters from Scotland, that they are in high discontents and faction, and the prince expected to come and reconcile them.

Letters from Newcastle of a ship of corn taken by the Irish; that the poor there are many of them ready to starve, and the meaner sort not able longer to pay assessments, not having bread to feed their families.

Eight ships of the Irish rebels taken by the parliament's ships.

10. Debate of several acts for prohibiting ministers to meddle with state affairs in their pulpits:

And for prohibiting the eating of flesh meat certain days in the week for a time, and for abating prices of corn, and to forbid the making of malt for a time:

And of a declaration of the parliament, of their resolution to settle religion according to presbytery, and a full maintenance to the ministers.

Great seal. Order, that the speaker, master of the rolls, the judges, and masters of the chancery, should have a commission under the great seal, to sit and hear causes in the rolls, in absence of the lords commissioners of the great seal.

395 Orders for money for several forces.

The council of war found colonel Poyer guilty upon the articles charged against him.

Upon a report that the twelve thousand English designed for Ireland intended to march into Scotland, they went on there to raise their defensive army of ten thousand.

London. Discontent in London about the unequal laying of the assessment, the rich men being underrated and the poorer men overrated.

11. A report from the council of state of several proposals, agreed upon as to the forces that shall go for Ireland, was

Lilburn. confirmed by the house; and the commitment of Lilburn and his fellows by the council was approved by the house, and ordered that they be tried by the common law, and Mr. Attorney Prideaux to prosecute them in the upper bench.

A proclamation published by the general for the observation of former orders for the army, and that no officer be absent from his charge without leave, and to prevent misdemeanours of the soldiers.

At the council of state, some discourses among them of sending me ambassador extraordinary into Holland.

Against this I laboured, and urged the burden of the business in chancery lying upon me, and (which gave most satisfaction, and, as I believed, in this jealous age did prevent my journey) I urged my lord Willoughby's being in those parts, which, by reason of our relation, might with some men raise a jealousy upon me.

They again urged the fitness of me for this employment, my knowledge of the languages, and being one whom they could trust, &c.; but I insisted upon the former matters of excuse, and so the business as to me went off.

12. Order for a writ to elect a new burgess for Carlisle, in the place of Mr. Barwis, deceased.

An ordinance committed to give power to the committee of admiralty to proceed to sentence of death in criminal causes.

Order for the committee to meet the common-council of London this afternoon for borrowing 120,000*l.* for Ireland.

A long debate upon the act for sale of deans' and chapters' lands, and provisos in it, for allowances out of those lands to itinerary ministers, and disposing their impropriations for additional means to the ministry, recommitted.

An act for inventorying the late king's goods committed, and a committee appointed to consider of the sale of his deer and parks, reserving such as shall be needful for the state.

The common-council of London were willing to lend 120,000*l.* for Ireland, but disliked the security proposed, and the committees agreed to treat upon further security.

Colonel Powel. Major-gen. Laughern.

The council of war, after full hearing of the parties and witnesses, passed sentence of death against colonel Powel and major-general Laughern, as they had done upon colonel Poyer before, upon the two first articles of war:

That such as have intelligence with the enemy, or any communication with them, without direction from the general, shall be punished as traitors and rebels; and that none shall relieve the enemy with money, victuals, ammunition, or harbour, or receive any of them, upon pain of death.

The wife of major-general Laughern presented a petition to the court martial, imploring their mercy to her husband, and that this one unadvised act of his might not cause all his former eminent services to be forgot, and the great loss of her, and his children, and two sisters, by his death.

At Bristol were discovered three brass pieces of ordnance, made up in fats, sent from London, and directed to the lord Inchequin in Ireland.

In the evening the commissioners of the seal, the lord general, the lieutenant-general Cromwell, the chief-justice Rolls, the chief baron, and many gentlemen of the house, as a committee of parliament, went to the common-council of London to borrow of them 120,000*l.* for Ireland.

The common-council gave them a fair and hopeful answer by their recorder.

London.

13. Upon a report from the committee of yesterday's transactions with the common-council, and their forwardness

and desire in that business, a committee was appointed to treat with a committee of common-council, concerning the advance of the 120,000*l.* for Ireland, and to give them the thanks of the house for their willingness to promote this business.

Order for moneys for the garrisons of Berwick and Carlisle, to be disposed as the governor of Newcastle shall direct.

An act committed for appointing treasurers for the 90,000*l.* assessment, no member of the army to be of this committee.

Hague. Letters from the Hague, that the prince elector arrived there, was slighted by the king of Scotland and his court; that the States appointed a council to assist the king to treat

Ministers. with the Scots commissioners, and commanded all their ministers to pray for no kings or princes but those under whose government they are.

Letters from Exeter, that the mayor and justices there refuse to execute their office, and to punish any offenders, persuaded to it by the ministers, who also inveigh against those that open the floodgate of wickedness.

Privilege. 14. Order, that upon any suit commenced against any member of parliament, the commissioners of the seal and the judges shall certify such members thereof, respectively, and if after such notice they shall refuse to answer or plead, according to the usual proceedings of law,

That then the commissioners of the seal and the judges shall award such process against their persons and estates as according to law is meet; and such members to have no more privilege in person or estate than any other commoner.

Justices of peace. Referred to the commissioners of the seal, and to the judges in their circuits, to receive complaints against any disaffected justices of peace, and upon proof of the charges against them, to remove them from being justices of peace, as they shall see cause, and to put other well-affected persons into commission in their stead.

Ministers. A committee appointed to receive informations and complaints against such ministers as in their pulpits vilify and asperse the authority and late proceedings of parliament, and to proceed against such ministers according to justice.

New stamp. Guinea. Referred to the council of state to consider of a stamp for the gold newly brought from Guinea, and for the advantage of the state and encouragement of the merchants;

And to consider how the statutes against transportation of gold and silver may be strictly put in execution, and how the melting of coin here, and selling of silver for beyond seas, 396
may be prevented.

An act committed, for appointing of commissioners and treasurers for prize goods, and disposing of all prohibited commodities, for the advantage of the state, and for putting all statutes concerning the same into execution.

Referred to the council of state, a proposition of colonel Temple, to stop the transportation of bullion and all prohibited commodities.

Order, that the lords commissioners of the great seal be required to give in the names of such persons as they conceive will be fit for judges, to supply the places that are vacant.

16. Upon the death of sir Francis Pile, knight of the shire for Berks, a writ issued out for a new election, and the sheriff returned the earl of Pembroke with all his titles, to be chosen knight of the shire for Berks, *primæ impressionis:* the house approved of the election, and admitted the earl a member of the house of commons, and his lordship, attended by many eminent members, was received into the house with great respect. Earl of Pembroke knight of the shire.

Referred to a committee to examine and consider the impositions laid upon corn and coals, and the engrossing of corn; the earl of Pembroke named of this committee.

Oxford petition referred to the committee for regulating the university of Oxford. Petitions.

Order that none go beyond seas without license, and an engagement to act nothing against the commonwealth.

A petition from colonel Poyer for mercy.

A petition of ten thousand well-affected persons, of London, Westminster, Southwark, and the hamlets, in the behalf of Lilburn, Walwyn, Prince, and Overton, Lilburn.

Complaining of the illegal proceedings against them, by power of soldiers, and undue examinations of them, &c.; and prayeth their enlargement from prison, and that for the future no person may be censured, condemned, or molested, concerning life, limb, liberty, or estate, but for the breach of some law first made and published, and that the trials of all such causes may be left to subordinate magistrates and ordinary proper courts of justice:

That the execution of civil affairs may be wholly freed from the interposition of the sword; and that martial law during the times of peace, when all courts are open, may not be exercised upon the persons of any, according to Magna Charta and the petition of right.

Nothing done upon these petitions.

Pool. The inhabitants of Pool subscribed an engagement to adhere to and assist their governor by authority of the parliament or the general, and to discover all plots to the prejudice of the parliament.

Letters from Scotland, that they are raising forces to the number of fifteen thousand horse and foot.

Letters from Dublin, that the Scots in Ulster are again on foot with the covenant and a declaration against the army in England, which they call *the sectarian army that murdered the king;* that they have taken in some towns there.

That Dublin expected to be besieged by Ormond.

Prince Rupert. That eight of prince Rupert's ships went to Scilly, and he with sixteen more went to block up the road of Dublin.

Ireland. 17. Letters reported by the council of state that the Scots in Ulster had declared for king Charles II, had taken several places, and were set down before Londonderry:

That they demanded the delivery of the town for the use of the king, and the governor, sir Charles Coot, to depart the kingdom:

That Ormond with a party was come within thirty miles of Dublin. The house referred it back to the council of state to take speedy care hereof.

An act passed for the judges of the admiralty, and for judging of prizes at sea, and for encouragement of seamen.

An act passed for appointing the lord mayor Andrews, sir John Woolaston, alderman Dethick, and Mr. Allen, to be treasurers for the 90,000*l.* per mensem assessment.

Tithes. Debates about taking away of tithes, and settling a sufficient maintenance for the ministry another way, as, by an assessment of 12*d.* per pound upon lands, by deans' and chapters' lands, impropriations, &c.

Order for 10,000*l.* for Ireland out of the Welch compositions.

London. Order to send to the city to summon all the companies to meet and consider their own interest about Londonderry,

to hasten the advance of the moneys for Ireland, and about sending a message to the Scots, to withdraw their siege from Londonderry.

The council of state had intelligence of new Levellers at St. Margaret's-hill, near Cobham in Surrey, and at St. George's-hill, and that they digged the ground, and sowed it with roots and beans; one Everard, once of the army, and who terms himself a prophet, is the chief of them; and they were about thirty men, and said that they should be shortly four thousand. Levellers.

They invited all to come in and help them, and promised them meat, drink, and clothes; they threaten to pull down park pales, and to lay all open; and threaten the neighbours that they will shortly make them all come up to the hills and work.

The general sent two troops of horse to have an account of them.

18. Another petition on behalf of Lilburn, &c., to the like effect with the former, which had a quick answer from the house, and that the prisoners should be proceeded against according to laws in force before their crimes committed. Lilburn.

Debate upon the act for sale of deans' and chapters' lands, and several votes passed for allowances to ministers and scholars out of the revenues of those lands to the value of above 20,000*l.* per annum.

And for the arrears of the soldiers to be charged upon the parks and lands belonging to the crown; and left to the lord general and council of the army to propound six persons, to be approved by the house, to join with others whom the house will name, as trustees for disposal of those parks and lands for that use; and the attorney-general ordered to bring in a bill for this purpose.

Upon the petition of the lady Capel, referred to the committee of complaints to examine it, and in the mean time ordered that the sequestrators do forbear to cut down any more woods or timber upon the lady Capel's lands. Lady Capel.

Upon a charge in a petition against Mr. Edward Vaughan, a member of the house, he was ordered to attend and answer it.

Letters from sir Charles Coot, of his being straitly besieged Ireland.

in Londonderry, and that without speedy relief he must be forced to surrender.

397 Ormond sent a second and more peremptory summons to colonel Jones at Dublin.

Letters from the Hague, that since the news of Cromwell's engaging for Ireland the prince hath no mind to go thither.

19. A solemn fast kept by the commons, the lord general, and officers of the army.

20. Several members of the house appointed to go to the ministers that preached yesterday, and to give them the thanks of the house.

Fast-days. Order for the third of May next to be a general fast-day; and a committee appointed to bring in an act for dissolving the former ordinance for a monthly fast, and to enjoin the observance of such fast-days as from time to time shall be appointed by parliament.

Poor debtors. An act recommitted for discharging poor prisoners who are not able to pay their debts, and to compel such as are able to pay, and the committee to confer with the judges.

Levellers. Everard and Winstanley, the chief of those that digged at St. George's-hill in Surrey, came to the general, and made a large declaration to justify their proceedings:

Everard said, he was of the race of the Jews; that all the liberties of the people were lost by the coming in of William the Conqueror, and that ever since, the people of God had lived under tyranny and oppression worse than that of our forefathers under the Egyptians.

But now the time of the deliverance was at hand, and God would bring his people out of this slavery, and restore them to their freedom, in enjoying the fruits and benefits of the earth.

And that there had lately appeared to him a vision, which bade him arise, and dig and plough the earth, and receive the fruits thereof; that their intent is, to restore the creation to its former condition.

That as God had promised to make the barren land fruitful, so now what they did was to renew the ancient community of enjoying the fruits of the earth, and to distribute the benefit thereof to the poor and needy, and to feed the hungry and clothe the naked.

That they intend not to meddle with any man's property, nor to break down any pales or enclosures; but only to meddle with what was common and untilled, and to make it fruitful for the use of man; that the time will suddenly be, that all men shall willingly

come in, and give up their lands and estates, and submit to this community.

And for those that will come in and work, they should have meat, drink, and clothes, which is all that is necessary to the life of man; and that for money, there was not any need of it, nor of clothes, more than to cover nakedness.

That they will not defend themselves by arms, but will submit unto authority, and wait till the promised opportunity be offered, which they conceive to be at hand. And that as their forefathers lived in tents, so it would be suitable to their condition now to live in the same: with more to the like effect.

While they were before the general, they stood with their hats on, and being demanded the reason thereof, they said, because he was but their fellow-creature; being asked the meaning of that place, *Give honour to whom honour is due*, they said, their mouths should be stopped that gave them that offence.

I have set down this the more largely, because it was the beginning of the appearance of this opinion, and that we might the better understand and avoid these weak persuasions.

Lots for Ireland.

The council of the army, after a solemn seeking of God by prayer, cast lots which regiments of the old army should go for Ireland: there were fourteen regiments of horse and fourteen of foot of the established army which came to the lot.

And it being resolved that four regiments of horse and four of foot should go upon the service, ten blanks and four papers with *Ireland* writ in them were put into a hat, and, being all shuffled together, were drawn out by a child, who gave to an officer of each regiment in the lot the lot of that regiment; and being in this impartial and inoffensive way, no regiment could take exceptions at it.

The regiments whose lot it fell to go were, of horse, Ireton's, Scroope's, Horton's, and Lambert's; of foot, Ewer's, Cook's, Hewson's, and Dean's. Several troops of dragoons, and all the officers whose regiments were to go, expressed much forwardness.

King of Scots.

Letters from the Hague, that the Swedish ambassador there saluted the king of Scotland, and condoled the death of his father; and that he and the Danish ambassador in-

vited the States to join with them in assisting the king of Scots to gain his birthright.

21. Moneys charged upon the excise ordered to be taken off from that receipt, and charged upon deans' and chapters' lands.

Speaker. Order, that the speaker be authorized from time to time to sign such letters as should be agreed on by the council of state to be sent to the States of the United Provinces.

Laughern, Powel, Poyer, cast lots for life. The general sent an order for major-general Laughern, colonel Poyer, and colonel Powel, to draw lots which of them should die, the other two to be spared their lives. In two of the lots was written, *Life given by God;* the third lot was a blank; the prisoners were not willing to draw their own destiny, but a child drew the lots and gave them, and the lot fell to colonel Poyer to die.

We sat in chancery by seven o'clock in the morning, and heard many motions, because two of the motion days in this term were disappointed by the fast-days. After the motions we heard eleven causes; then we rose.

23. An act recommitted for setting the poor people to work, and punishing vagrants.

The act for punishing criminal matters by the court of admiralty passed.

The act passed for repealing the former act for observation of a monthly fast, and requiring such to be kept as fast-days which should be appointed by special order of parliament.

License given for the French ambassador to transport eight horses and eight mares custom free.

The amendments passed to the act for sale of deans' and chapters' lands, and Rowland Wilson, esq. was voted one of the trustees.

Du Moulin. Vote for 100*l.* per annum for Monsieur du Moulin out of the 20,000*l.* per annum for augmentation to ministers.

Petition for Lilburn. Some hundreds of women attended the house with a petition on the behalf of Lilburn and the rest; it was reproachful, and almost scolding, and much to the same effect with former petitions for them.

An act passed to authorize the court of admiralty to proceed to sentence in divers causes, notwithstanding prohibitions to the contrary.

Colonel Popham, one of the admirals, was out at sea with one squadron of ships; colonel Blake and colonel Dean, the other two admirals, were with another squadron in the Downs. Navy.

A petition to the general and officers of the army for poor prisoners for debt to be released. 398

A Flemish ship bound for Ireland was taken, with sixty field officers, and one hundred other officers, cavaliers.

Letters from Scotland, that the levies of soldiers there go on apace; that divers new insurrections were in that kingdom; that their new king was unwilling to put away Montrose from him. Scotland.

The council of state wrote to major-general Ashton to disband captain Bamber's troop by force, and to secure the officers of it, because they had disobeyed the orders of the council, and taken free quarter.

24. Upon a petition from Kendal, referred to the council of state to consider of convoys for merchants' ships, and to send to Hamburgh and other parts for corn to be imported.

A petition from colonel Poyer's wife for sparing her husband's life laid aside. Petition.

The women were again at the house with a petition in the behalf of Lilburn and the rest, but could not get it received. Lilburn.

Orders for six commissioners of the customs, and about other officers of the customs.

The king put off his answer to the Scots commissioners with him at the Hague, telling them he was to receive the sacrament, keep a day of humiliation, and entertain several foreign ambassadors, and until these things were over he desired to be excused. The king of Scots.

The prince elector gave the king a visit, had a chair set for him, was desired to put on his hat, and parted friendly from the king; who sent the lord treasurer Cottington and the lord keeper, in his name, afterwards, to give the prince elector a visit. Prince elector.

25. Upon a letter from the earl of Northumberland, the house voted, that the lady Elizabeth, one of the late king's children, should not have leave to go beyond seas: King's children.

That the king's children should not be put under the tuition of any member of parliament:

That sir Edward Harrington should be intrusted with

them; that 3000*l.* per annum be allowed to him for their maintenance.

The forms of the new coin were argeed on by the house to be thus:

New coin. On the one side to be the arms of England, and a laurel, and a palm on each side, with this inscription about it, *The Commonwealth of England;*

On the other side of the coin to be the arms of England and Ireland, with this inscription, *God with us.*

Order, that the attorney-general bring in indentures and an act for establishing this form of coin.

Women petition for Lilburn. The women petitioners again attended at the door of the house for an answer to their petition concerning Lilburn and the rest. The house sent them this answer by the sergeant:

Answer. That the matter they petitioned about was of an higher concernment than they understood; that the house gave an answer to their husbands, and therefore desired them to go home, and look after their own business, and meddle with their housewifery.

Order for a bill to settle the 20,000*l.* for augmentation to ministers, &c.

Poyer. Colonel Poyer was shot to death in Covent-Garden, and died very penitently.

Act of oblivion. 26. Upon a report from the council of state, that they thought, for settling the peace of the nation, that there should

Vote. be an act of oblivion, the house ordered one to be drawn up, and voted,

That the time be set in the act of oblivion, from which no action or suit shall be commenced or prosecuted for any thing said or done in the time of war, shall be before the first day of this term.

Order, that such as shall discover any moneys raised to be employed against the parliament, should have the sixth part of what they should discover, and the remainder to be employed for the service of Ireland in this expedition.

Henry Martin. Order, that the committee of the revenue do speedily pay to colonel Henry Martin, a member of the house, 3000*l.*, which sum he had formerly advanced for the service of this nation.

Order touching the arrears of the duchy of Lancaster.

Referred in a special manner to the commissioners of the

seal to relieve, according to equity and justice, such persons as have lain under the power of the enemy, and have been thereby disabled to pay their debts, yet are sued at law, and liable to great penalties.

Referred to the council of state to receive from two gentlemen a proposition made by them for the great advance of learning and arts, and to treat with the gentlemen thereupon, and report their opinions to the house. A project for learning.

Orders touching the officers of the customs.

Order for the barons of the exchequer and the committee of the revenue to consult together how the arrears due by papists may be collected, and that the arrears of fee-farm rents be speedily paid.

Order for the speaker to sign letters from time to time tendered to him by the committee of the army. Speaker.

Five troopers condemned to die by the council of war for a mutiny at the Bull in Bishopsgate-street, refusing to march upon their colonel's orders, and violently fetching away the colours from the cornet's quarters. Mutiny.

Upon their humble petition, the general pardoned them; but another, one Lockier, was executed.

The Levellers were driven away from St. George's-hill in Surrey by the country people.

27. Debate of the act for sale of deans' and chapters' lands.

Order for the committee to meet touching colonel Popham's arrears.

Sir Edward Harrington desired to be excused from taking the charge of the king's children. King's children.

Order for 1300*l.* for Plymouth garrison.

Mr. Andrews readmitted a member.

28. The house spent the whole day about perfecting the act for sale of deans' and chapters' lands.

30. The act passed for sale of deans' and chapters' lands, and ordered to be printed.

An act passed giving power to the commissioners to administer an oath agreed upon in some cases of the customs.

Letters from Lancashire of their want of bread, so that many families were starved; that there were many soldiers quartered, pretending for Ireland, show no commission, yet

make assessments for 14*s.* a week for a horseman, and seize goods for default, and free quarter, and give the seed-corn to their horses.

Referred to the council of state, and by them to the general, to reduce those in Lancashire.

An act passed for justices of peace for the county palatine of Lancashire as for other counties.

399 By order of the house, the speaker sent letters to the commissioners in the several counties for the speedy collecting the assessment of 90,000*l.* per mensem for the forces in England and Ireland.

Some who counterfeited the pass of the council, and by pretence thereof got money in Suffolk, (which they said was for the relief of Ireland,) were committed to Peter-house.

Order of the general, that no regiment that is to stay in England do entertain any of the forces designed for Ireland.

Mr. Lockier. Mr. Lockier, a trooper, who was shot to death by sentence of the court martial, was buried in this manner:

Funeral. About one thousand went before the corpse, and five or six in a file, the corpse was then brought, with six trumpets sounding a soldier's knell, then the trooper's horse came clothed all over in mourning, and led by a footman.

The corpse was adorned with bundles of rosemary, one half stained in blood, and the sword of the deceased with them.

Some thousands followed in ranks and files; all had sea-green and black ribbon tied on their hats and to their breasts; and the women brought up the rear.

At the new churchyard in Westminster some thousands more of the better sort met them, who thought not fit to march through the city. Many looked upon this funeral as an affront to the parliament and army; others called them Levellers; but they took no notice of any of them.

Ireland. Letters from Ireland, that colonel Tothill's regiment of one thousand two hundred and fifty was not landed, but beaten back by tempest to Anglesey:

That Londonderry could not hold out the siege; that colonel Monk stood off, and did nothing, being (as he said) not in capacity.

Famine. Letters from Newcastle, that many in Cumberland and Westmorland died in the highways for want of bread, and

divers left their habitations, travelling with their wives and children to other parts to get relief, but could have none.

That the committees and justices of the peace of Cumberland signed a certificate, that there were thirty thousand families that had neither seed nor bread-corn, nor money to buy either, and they desired a collection for them, which was made, but much too little to relieve so great a multitude.

Letters from Berwick, that the Scots troubles increase, that there are among them five for the king for one against him; that they are incensed at the death of the duke of Hamilton and marquis of Huntly, and expect an agreement with the king; that they take divers English cavaliers into the army. Scots.

May 1649.

1. Debate of an act to make many things treason in relation to the commonwealth;

As, maliciously to affirm the present government to be tyrannical, usurped, or unlawful; or that the commons in parliament are not the supreme authority; or to endeavour to alter the government. Treasons.

Or to affirm the parliament or council of state to be tyrannical or unlawful, or to endeavour to subvert them, or stir up sedition against them.

Or for soldiers to contrive the death of their general or lieutenant-general, or others to endeavour to raise moneys, or war against the parliament, or to join to invade England or Ireland, to counterfeit the great seal, or to kill any member of parliament or judge in their duty.

An act committed for settling the republic.

Letters from admiral Popham from Falmouth, that he fought with a squadron of prince Rupert's ships, took the Guinea frigate, which had thirty-four guns, and two other vessels.

Letters from Ireland, that Dublin was in great danger, and that Ormond had totally routed two regiments of the parliament party.

Letters from Bristol, that the Levellers were very active in those parts, and took much with the people. Levellers.

Lilburn, Walwyn, Prince, and Overton published their *agreement of the people* to this effect: Form of government.

1. The supreme authority of this nation to be a representative of four hundred.

2. That two hundred be an house, and the major voice concluding to the nation.

3. All public officers to be capable of subjection, those of salary not to be members.

4. No members of one representative to be chosen of the next.

5. This parliament to end the first Wednesday in August, 1649.

6. If this omit to order it, that the people proceed to elections.

7. A new representative to be the next day after this is dissolved.

8. The next and future parliaments, each to stand for one whole year.

9. The power to be without consent of any.

10. They not to make laws to compel in matters of religion.

11. None to be compelled to fight by sea or land against his conscience.

12. None to be questioned concerning the wars, but in pursuance to authority.

13. All privileges of any person from courts of justice to be null.

14. Not to give judgment against any, where no law was provided before.

15. Not to depend longer upon the uncertain inclination of parliament.

16. None to be punished for refusing to answer against themselves.

17. No appeal after six months after the end of representatives.

18. None to be exempted for beyond sea trade where others are free.

19. No excise or custom to be above four months after next parliament.

20. Men's persons not to be imprisoned for debt, nor their estates free.

21. Men's lives not to be taken away but for murder, or the like.

22. Men upon trials for life, liberty, &c., to have witnesses heard.

23. Tithes not to continue longer than the next representative.

24. Every parish to choose their own minister, and to force none to pay.

25. Conviction for life, liberty, &c., to be by twelve neighbours sworn.

26. None to be exempted from offices for his religion only.

27. The people in all counties to choose all their public officers.

28. Future representatives to justify all debts, arrears, &c.

400 29. No forces to be raised but by the representatives in being.

30. This agreement not to be nulled, no estates levelled, nor all things common.

Montrose was sent ambassador into Spain, to declare the king's sad condition, the executing of his father, and keeping him from his birthright: the like to be to France, Denmark, and Sweden. Ambassador.

2. Several petitions presented from London in behalf of Lilburn and the rest; from Essex, for the same; from Cambridgeshire, about sea breaches; from London, for payment of public faith money; another, for relief of such as have been sentenced for adhering to the parliament; another, in behalf of the commons of Lincolnshire. Petitions.

Another petition from Suffolk to the like effect with former petitions for taking away tithes, &c., and for liberty of conscience: the petitioners had thanks for their former good services and present civil petitioning.

3. The public fast-day.

One Elliot, a person towards the law, and others, engaged the soldiers in the execution of civil process: the general declared his dislike thereof in a letter to the lord chief justice, and prayed his care to punish it.

One Dod committed to the marshal, to be tried by a council of war, for pretending a commission from the officers of the army to collect arrears due for spiritual livings, and thereby got great sums into his hands.

Also two more for counterfeiting the general's hand and seal to protections, for which they received money.

4. Referred to a committee to regulate the university of Cambridge.

Upon a report from the council of state, ordered that the Guinea frigate lately taken be victualled, manned, and set out to sea.

Referred to the committee of the admiralty to consider of the articles given to the captain and seamen upon the taking of that frigate, and whether they may be proceeded against or not; and touching the Irish mariners, and the English that revolted.

Referred to the council of state to consider how the mariners and others, detained prisoners in Scilly and Jersey, may be relieved and discharged; the like upon the petition of mariners' wives.

The committee ordered to consider of the indirect dealings

in the sale of bishops' lands and removing obstructions therein.

An act for discharge of delinquents in Essex who have compounded.

An act passed for settling the rectory and glebe-lands of Burford upon a member.

5. Order for the Isle of Anglesey to have the like benefit for compounding as South Wales had.

Order for lieutenant-colonel Throckmorton to have a concealed estate, discovered by him, towards his arrears, he proving it to belong to a delinquent.

The lord Howard chosen and admitted to be burgess for Carlisle.

Order for the speaker to give passes to those who by the articles of Pontefract were to go beyond sea.

Petition for payment of public faith money.

Order for the accounts of a member to be stated, and his arrears paid out of such concealed delinquents' estates as he should discover.

Referred to a committee to consider of the petitions and grievances of all who have not articles upon rendition of garrisons performed to them.

Order for money for the forces in England and Ireland, and for the navy, to be issued out by warrants of the council of state.

Two troopers rid the wooden horse by sentence of the court marshal.

7. Order to discharge from sequestrations the lady Capel's jointure.

Orders for the arrears of colonel Rich.

Mr. Francis Pierepoint satisfied the committee, and was readmitted to sit in the house.

Order that the speaker sign letters to foreign ministers, with a copy of the act for seizing all ships that have prince Charles's commission.

Order that the engagements for the navy may be doubled upon deans' and chapters' lands.

Referred to a committee to consider how the town of Liverpool may be relieved for losses.

Upon their petitions, orders for pardon and enlargement of the lord Goring, and colonel Owen, Laughern, and Powel.

Letters from Berwick, that things in Scotland were bad, that the people increase in discontent and affection to the royal party.

The private soldiers of colonel Scroope's regiment of horse published their resolutions not to go for Ireland till the engagements of the parliament were performed here.

8. Voted not to continue the allowance of 12,000*l.* per annum to the queen of Bohemia, and that the committee of the revenue make a list for the house of all pensions, and suspend the payment of them.

The question whether the council of state should pay 1500*l.* to the earl of Rutland, for demolishing Belvoir-castle, passed in the negative.

Order for the commissioners of the seal to send a writ to the lord mayor to cause to be proclaimed the act touching prize ships and goods.

Ireton's regiment were in disorder upon letters from colonel Scroope's regiment to join in their resolution not to go for Ireland, the like of colonel Reynolds's regiment, and some other troops designed for Ireland, and they appointed a general rendezvous without their officers.

Letters from Dublin, that colonel Jones sent out a party under major Cadogow to surprise Tecroghan, which was hindered by the failure of Kildare men, but Cadogow fired above two hundred houses in the town, and a great number were killed and burnt, orders being to kill all but women and children: the rest fled into the castle.

Of Cadogow's men, not one officer killed, only three private soldiers killed and three hurt; and in his return, with two hundred foot and twenty horse, he fell upon a party of the rebels, with his twenty horse only, disordered them, killed fifty, and took thirty prisoners.

Some towns were delivered to the rebels by treachery, and sold for money by captain White and others.

That Ormond was advanced within twenty-seven miles of Dublin; that by reason of the great spoil in the countries, corn was with them at 8*l.* 10*s.* the barrel, and many died in the highways and streets for want of food.

9. An additional act passed concerning sequestrations in case of appeals.

The business of the great level of the fens referred to a committee.

Order for payment of money into Weavers'-hall, for satisfaction of money lent upon the public faith.

401 Letters from the generals at sea of several ships taken by them.

Several paroles granted for exchange of prisoners in Scilly and Guernsey.

Letters from Edinburgh: that the committee of estates sent to their commissioners in Holland that they adhere to their instructions, particularly for removal of evil councillors from the king.

An order of the general for raising soldiers in Ireland, and for their march and civil carriage.

Dr. Dorislaus. Letters from the Hague, that twelve English cavaliers in disguise came into a room where Dr. Dorislaus, who was a public minister there for the parliament, was with others at supper, that they murdered him by stabbing him in several places, and cut his throat, and one of them said, *Thus dies one of the king's judges.*

That the States declared that they would not assist either side in the difference between the prince of Wales and the present power in England.

Captain Cook with his troop forcibly disbanded captain Bamber's troop, and secured the officers; the country beat out some other troops who refused to disband.

Letters from the Hague, that the king of Scots remonstrated to the Scots commissioners the reasons why he could not comply with their demands, being so very high.

10. Order for an account to be given to the house, why the act against kingship was not proclaimed in the city.

An act passed for altering the original seals of Denbigh and Montgomery shires.

An act passed for altering the *Nisi-prius* seal of the upper bench.

Order touching the mint-master.

Referred to a committee to consider of reforming the abuses in the Marshal's court.

Order for money for lieutenant-colonel Beecher.

An act passed for altering the seal for the borough of Southwark.

Order for the moiety of discoveries of delinquents' estates in Dorsetshire by the Irish officers to go to them.

Captain Smith's troop in Oxfordshire met with other troops of the Levellers at Banbury, and there posted up their declaration, Levellers.

1. Against the present parliament and their proceedings.
2. Against the council of state.
3. Against the council of the army.
4. Against the proceedings of the late high court of justice.

Captain Tomson was a principal ringleader of these men; he had been formerly condemned by a council of war, but by the mercy of the general was spared; now he marched up and down about two hundred horse, and declared to join with those of colonel Scroope's, colonel Harrison's, and major-general Skippon's regiments in their declaration and resolution.

He published a declaration of his own in print, entitled, *England's standard advanced, or a declaration from Mr. William Tomson, and the oppressed people of this nation now under his conduct in Oxfordshire, for a new parliament by the agreement of the people.*

I stayed at home in the morning, and the two chief-justices, the attorney-general and sergeant Thorp, came with my brother commissioner L'Isle to my chamber, and in my study we perused two bills, one concerning the settlement, and the other to declare what shall be treason.

11. The house declared that Tomson and all that adhered to him, or bear arms without authority of parliament, are rebels, and ordered a proclamation to this purpose throughout the nation, and a letter to the general to suppress them; and directions to major-general Skippon to suppress all tumults and insurrections, and to preserve the peace of the city, and secure the parliament, as he shall receive orders from them or the council of state. And that the militias of Westminster, Southwark, and the Hamlets take course for security of the suburbs from all tumults and insurrections.

Order that the postmaster taken by Tomson, and discharged upon his parole, should not render himself again to Tomson.

Referred to the council of state to take order for security of the parliament and city, and that the soldiers of the army join with those of the city herein.

Debate of setting a period to this parliament, and for electing a new and equal representative, and ordered to be debated again in a grand committee.

An act committed declaring that the people of this nation are a free state and commonwealth.

Mr. Henry Darley readmitted to sit in the house, having satisfied the committee touching his absence.

Some of colonel Scroope's regiment came in to the general, and several other troops sent to him that they would assist him in reducing the revolters.

12. Voted that Lilburn, Walwyn, Prince, and Overton should be restrained as close prisoners apart, and severally, the one from the other, in several rooms, and not to resort and consult together, and that they should have no allowance from the state during their confinement.

An act passed for taking off free quarter.

Levellers. Letters that colonel Reynolds commanded a party of about sixty horse to fall into the Levellers' quarters at Banbury, who by some treachery in the town had notice thereof; they drew up into a body, but held up at a lane's end by lieutenant Parry and captain Owen.

They finding it difficult to force col. Reynolds's men, cried a parley, which Parry and Owen, having no power to do, refused, but would forbear fighting till the colonel advanced, upon whose coming they were contented to submit.

Upon the delivery of his two colours he discharged the rest, dispersed them to their homes by passes, but secured two or three of the chief ringleaders, and such as were officers in commission in this business.

Tomson, the chief, fled, upon the approach of colonel Reynolds, unto Banbury; they killed captain Parry, and Reynolds might have killed them all, but he forbore it. The general marched after the Levellers; colonel Whaley's regiment declared to adhere to the general.

Act for treason. 14. The act passed declaring what shall be treason against the state and present government, and ordered to be sent into all the countries, and a copy of it to the general, to be read to the officers and soldiers of the army.

An act passed for making Mr. Scobel clerk of the parliament; and referred to a committee to repair the losses of Mr. Browne, clerk of the parliament to the lords' house, and a person well-affected to the present government.

Orders for provisions for the admirals at sea, and concerning the customs.

Upon a report from the council of state of the examination of three of the servants of Dr. Dorislaus, concerning the murder of their master; order for a declaration to be published in that business, and for 200*l.* per annum to be given to his son for life, and 500*l.* apiece to his daughters, and 250*l.* for his funeral. Dr. Dorislaus. 402

Upon the petition of widows whose husbands were slain in the parliament's service, referred to a committee to consider of the state of hospitals, and how in them, or otherwise, provision may be made for the wives and children of such, and for maimed soldiers.

Letters from the general's quarters that he was marching towards the mutinous troops, and sent a letter to them to Marlborough requiring their obedience, and to submit, or else tells them what they must expect.

They sent an answer with expressions of all respect to the general, acknowledged themselves his soldiers, but as to the journey to Ireland, they could not go with safe consciences, being contrary to their engagement at Triploe heath.

They desire, according thereunto, that a general council of the army may be called, consisting of two officers and two soldiers of every regiment, with the general officers, and in their judgments they will acquiesce.

Letters from Scotland, that those in Londonderry sallied out and gave a great defeat to the besiegers; and that the committee of estates in Scotland published a declaration against Middleton, Ogilvy, and the Gordons, as traitors.

15. Debate divers hours in a grand committee, and afterwards in the house, about putting a period to this parliament, and referred to a committee to consider of the settling the successions of future parliaments, and regulating their elections, and to present heads to the house concerning the same.

Order that the lieutenant of the Tower take care that Lil-

burn and the rest have necessary provisions for their subsistence.

Levellers routed.

Letters that the general marched after the mutineers, who were twelve colours, and attempting to march over Newbridge towards Oxford, but were forced back by colonel Reynolds; then they went over at a ford, and marched to Burford.

That the general pursued them, and about twelve o'clock at night coming near the town, sent a forlorn under captain Okey, who drew up a party of dragoons, which met with the mutineers' scouts, drove them into the town, and so fell in with them, and the general's regiment of horse and other forces followed.

That the mutineers made some resistance by firing out at the windows, but the general's officers setting forth the miseries they would bring themselves and the town into, they yielded upon quarter, which was given to them.

There were taken in the town near nine hundred horse and arms, and four hundred prisoners, and twelve colours, being almost their whole party, and not above forty that were in the town escaped.

Letters from the Hague, that the States caused earnest inquisition to be made after those that murdered Dr. Dorislaus, and promised 1000 guilders to him that bringeth any of them, and published it death to any who should harbour any of the murderers.

That the Danish ambassador sits with the prince's council; the Swedes promise men enough, and Lorrain his assistance, but that money is wanting.

Dr. Dorislaus.

That colonel Bard, a baronet, was apprehended by order of the States, and Montrose and the lord Hopton questioned for the murder of Dr. Dorislaus.

Orders touching the imposition upon Newcastle coals to take off as much as might be of it; and about provisions for the garrisons of Newcastle, Tinmouth, and Berwick, and Carlisle.

Order for the commissioners of the seal to issue out a commission of oyer and terminer to try some moss troopers.

Referred to a committee to consider of bringing in fines and compositions, notwithstanding judgments and extents upon delinquents' estates.

Order about collectors' accounts.

Upon a report from the council of state, that sir Robert Harley, master of the mint, refused to stamp any coin with any other stamp than formerly, the house ordered that a trial of the pix should be made at sir Robert Harley's charge: they put him out of his place, and made Dr. Gordon, the physician, master of the mint in his room. Master of the mint.

The house approved sir Arthur Haslerigge's putting captain Batten out from being governor of Holy Island.

Letters from the general to the house, of his taking and dispersing the mutineers: the house gave captain Bridges, who brought the letter, 100*l.* to buy him horses.

Referred to the council of state to examine the correspondence between some in London and the mutineers.

Cornet Dean and Tomson, the chief of the mutineers, were by a council of war sentenced to die, and Dean was very penitent.

The general sent out his warrant to all justices of peace to apprehend any of the mutineers that should be found in those parts, that they might be brought to trial.

This was the saddest day of all the days of my life hitherto; my brother William Willoughby brought me the direful news that my wife was dead. When we first met, it was upon terms of affection only, without consideration of portion or estate or settlement, or those common provisions or discreet care of friends: she was of a very honourable and ancient family; her father, the lord Willoughby of Parham, whose ancestors were barons near four hundred years together, and matched into many great and noble families; her mother was daughter to the earl of Rutland, lineally descended from a sister of king Edward IV, and so from king Edward III, and that great name and line of the Plantagenets.

17. Debate all day of the case of sir John Danvers and the lady Gargrave his sister, about the will of the earl of Danby their brother: the house declared the will to be void, and referred the matter to a committee.

A declaration of colonel Whaley and all his officers and soldiers, reciting the good intentions of the parliament for settling the peace of the nation, setting out a fleet to secure trade, and prevent invasions, providing for the pay of the army and their arrears, and taking off free quarter, and for the relief of Ireland; Declaration.

Which are endeavoured to be obstructed by the designs of the common enemy, to the ruin of that nation, and dishonour of the army, and hazard of this commonwealth.

That divers have wickedly gone about to divide the army, to persuade those soldiers to whose lot it is fallen to go for Ireland to refuse that service, and to seek by force to dissolve the parliament and council of state, and cast off the general.

They disclaim these traitorous plots and actions, and utterly abhor them, and resolve to continue their due obedience to the parliament, the general, lieutenant-general, and others in authority, and engage to stand and fall with them.

403 18. An act for establishing of courts in every county for the probate of wills, administrations, marriages, divorces, &c., was upon the question rejected, and referred to a committee to draw up another act for the same purpose, according to the sense of the house in this debate.

Debate touching the taking away of tithes.

Dr. Dorislaus. The house declared their sense of the care of the States of Holland to find out the authors of the horrid murder of Dr. Dorislaus, and hoped that the States would be careful of the parliament's agent, Mr. Strickland, now there.

Instructions agreed for the master of the ceremonies, for a message to be delivered by him to the States' ambassador here.

The house declared, that the lives of those persons of the king's party who were excepted from pardon should answer for the life of Dr. Dorislaus.

The parliament's ships brought in provisions to Dublin.

The mutineers taken at Burford were by a council of war sentenced to die.

19. Divers delinquents complained of the greatness of their fines, and referred to the committee of Goldsmiths'-hall.

Divers of the mutineers at Burford were shot to death; Tomson's brother was penitent; others died desperately.

Upon the petition of them craving mercy, and acknowledging their fault, Cromwell brought them word from the general that only every tenth man should die.

Levellers. Their chief leader Tomson got possession of Northampton, and of the ordnance, ammunition, provisions, and money there, with two troops of horse, and some Levellers out of the country came in to him.

These passages are the more particularly recited, to show how the parliament itself was persecuted by their own party, and those for whom they had undergone so great hazards; and to show how all those strugglings for power were but in order to persecute others.

21. Letters from the general, that Tomson being gone from Northampton to the town of Wellingborough, Mr. Butler was sent with a select party of horse to pursue him, who fell into his quarters and took his men, and Tomson himself escaped to a wood; Butler pursued, beset the wood, and sent a party into it, where they found Tomson.

He was well mounted, and though alone, yet he desperately rode up to Butler's party, shot a cornet and wounded another, and then retreated to a bush, having received two shots himself.

When the party began again to draw near to him, he charged again with his pistol, and received another shot and retreated; the third time he came up, and saying he scorned to take quarter, and then a corporal, with a carbine charged with seven bullets, gave him his death's wound; that the lieutenant of Oxfordshire troop was likewise slain.

Order for the commissioners of the seal to issue out commissioners of oyer and terminer to fit persons in Oxfordshire and Northamptonshire for trial of the persons taken in the late rebellion.

Order, that the council of state, the lord mayor, and the justices of peace, and officers of the militia in London and Westminster, do take care for apprehending such as were in the late rebellion, and that the attorney-general prepare a proclamation for the apprehending of them in the several counties.

The pension of 500*l.* per annum to the earl of Nottingham ordered to be continued, and by the means of sir Arthur Haselrigge and myself, the countess's wife had the other 500*l.* per annum ordered for her.

An act passed for draining the great level of the fens.

A salary of 400*l.* per annum to Dr. Gordon as master of the mint.

A declaration published of the parliament's ill resentment of the horrid murder perpetrated on the body of Isaac Dorislaus, doctor of the laws, their resident at the Hague.

Common-wealth. An act published, declaring and constituting the people of England to be a commonwealth and free state.

Letters from Scotland that lieutenant-general David Lesley defeated those in the north of Scotland; for which a day of thanksgiving was appointed, and for the general deliverances and successes expressed in a declaration.

That a plot of a new rebellion, and to kill the marquis of Argyle and the lord Burleigh in St. Johnston, was discovered by one of their own party, and divers of the conspirators taken and executed.

Letters from Portsmouth that the Levellers began to appear in those parts and in Devonshire, but the army soldiers, whom they expected to join with them, were readier to fight against them.

22. Order for a letter to be sent from this parliament to the parliament of Scotland, for a right understanding and firm league and amity between the two nations, and that commissioners of both parts may meet and treat for that purpose.

Referred to the committee of the army to prepare copies of the act touching free quarter, to be sent to every regiment of the army, with a letter to the general to cause it to be observed.

Order for the committee of Haberdashers'-hall to have power to give oaths to witnesses, and for an act to empower all committees to do the like.

Licensing books. Upon Mr. Mabbol's desire, and reasons against licensing of books to be printed, he was discharged of that employment.

Oxford. The general and lieutenant-general, and other officers of the army, were solemnly welcomed and highly feasted at Oxford, and the proctor Zanchey presented the general and lieutenant-general doctors of law; and other officers masters of arts, and divers learned and congratulatory speeches were made to them by the vice-chancellor, the proctors, and other heads and officers of the university.

23. Several votes of the committee at Goldsmiths'-hall, touching delinquents and their compositions, confirmed by the house, and ordered to be printed.

Upon a letter from the general for a lecture to be set up in Oxford, and for Dr. Reynolds, Mr. Caryl, and Mr. Thomas

Goodwin to be lecturers there, referred to the committee of Oxford to have it done.

Visitors added for the university of Oxford.

Upon a report from the council of state, referred to them to take care for repairing the castles of Sandown, Deal, and Wymere.

Some mariners that revolted, and since were taken by the parliament's ships, were tried by a council of sea-officers, and executed.

Letters from the Hague of great preparations for the new king of Scotland to go to sea, that Montrose is to go for Scotland, and to have such forces as Germany, Sweden, and Denmark afford. 404

24. Upon the desire of the towns of Sarum, Pool, and the county of Devon, who had advanced considerable sums for the parliament; order that they might double those sums in the purchase of deans' and chapters' lands.

Order for the duke of Gloucester and the lady Elizabeth, the late king's children, to be under the tuition of the countess of Carlisle, and 3000*l.* per annum allowed for their maintenance. Duke of Gloucester.

Order for repayment of money lent by the city for carrying on the treaty.

Order for threepence per pound salary for the trustees for sale of bishops' lands.

Order that the speaker writing to foreign states should style himself, *William Lenthal, speaker of the parliament of England.*

A committee named to peruse the orders of the house after they should be drawn up, and to see that they should be rightly entered.

A provost marshal appointed with power to seize upon malignants and disaffected persons.

26. The act touching debts debated and recommitted.

Order for money for poor widows, and wives of soldiers.

Report by lieutenant-general Cromwell of the suppressing of the Levellers: the house gave him their hearty thanks for that great service, and ordered one of their members to attend the general with the hearty thanks of the house for his great service in that business; and ordered a general day of thanksgiving for that great mercy.

28. An act passed for auditing the accounts of the soldiery, and securing of their arrears, particular care being had of those who shall go for Ireland.

The act for giving power to all committees to give oaths, reported from the committee, and upon the question rejected; and an act for continuance of the making of saltpetre, as formerly, was rejected.

Referred to a committee to consider how deeds remaining with the records of the court of wards may be delivered out to the owners.

Referred to a committee to consider what powers are fit to be continued to the committee of Haberdashers'-hall, and to examine their accounts.

Orders touching sequestrations, and compositions of delinquents.

The parliament's ships took five officers going for Ireland in a ship of the States, and sent them up prisoners.

Letters from Lancashire of great scarcity of corn, and that the famine was sore among them, after which the plague overspread itself in many parts of the country, taking away whole families together, and few escaped where any house was visited, and that the Levellers got into arms, but were suppressed speedily by the governor.

29. The act passed for draining the great level of the fens.

Another passed for the 20,000*l.* per annum for maintenance of ministers and scholars, &c.

Upon a report by lieutenant-general Cromwell of the readiness of the soldiers to go for Ireland, if money were provided for them, several orders were made for that purpose.

The petitions of sir Peter Temple and his wife, and of his creditors, referred to a committee.

Letters from Chester of relief of Dublin with provisions from England.

Letters from the Hague, that the prince could not obtain from the States such an assistance of shipping as he desired.

The governor of Jersey invited the prince thither, and put out of the island all whom he suspected to be well-affected to the parliament.

The parliament's ships took two ships and thirty pieces of ordnance going for Ireland to the rebels, and many English officers: some of them, suspected to have had a hand in the

murder of Dr. Dorislaus, were sent prisoners to Pendennis-castle.

30. Referred to a committee to state the business of the Isle of Anglesey in relation to their compositions, and sir Hugh Owen's sequestrations discharged upon the articles of Anglesey.

Referred to the committee of the navy to examine the accounts and business of captain Dick and captain Coningham, in relation to Ireland, and to bring in an act for settlement thereof; the like for the business of my lord Forbes, and concerning the original contract with the adventurers for Ireland.

Debate touching the arrears of the Dutch officers.

Referred to the two chief justices and chief baron to prepare an act for settling the business between the miners in Derbyshire and the earl of Rutland.

Letters from Ireland, that the little quantity of corn lately brought in thither hath much refreshed and encouraged the inhabitants and soldiers, and that the parliament's ships have cleared that coast; that the rebels are in much division among themselves.

The act for abolishing kingly government, and establishing a free state, was solemnly proclaimed in London by the lord mayor and twelve aldermen present with him.

Letters of the general's going to the Isle of Wight to view it and the castles there, and his entertainment with the great guns and feasting, and of his coming from thence to Southampton, where he was saluted with great guns round the town, and great feasting. Sir Tho. Fairfax.

That from thence he went to Portsmouth upon the same business, to view the fortifications; from thence he came to Guilford: the mayor and officers there showed him all respect, and near the town he had a rendezvous of the army.

He spake to the several regiments, exhorting them to obedience, and showing them the danger that the late mutineers might have brought the whole nation into, if God had not prevented it.

31. A committee from the common-council of London brought a message to the house, to desire them, on the day of thanksgiving for suppressing the Levellers, to dine with the London invites the parliament to dinner.

lord mayor, aldermen, and common-council at Grocers'-hall, and that they might have the favour to solemnize that day with the house at such a church as they should be pleased to nominate.

Voted that Christ-Church should be the place of meeting for the parliament and city to solemnize that day, and that the house did accept of the invitation from the city, and ordered the hearty thanks of the house to be given them for
405 their constant and great affections to the parliament and nation.

The committee of common-council then invited the general and officers of the army to the same feast, which was well accepted of by them, and thanks returned to the city.

Report of proclaiming the *Act against kingship* in the city, and that alderman Chambers and sir Thomas Soames would not accompany the lord mayor therein; for which contempt they were ordered to appear at the bar of the house.

Order for the accounts of Mr. Rowland Wilson, as muster-master-general of the forces of Warwick and Coventry, to be stated.

Referred to the committee of absent members to consider what members have not appeared in the house since Jan. 11 last, and what members are fit to be admitted, and what expelled.

Order to get in 6000*l.*, in the hands of Mr. Gell, a member of the house, receiver for Derbyshire, unaccounted for.

Declaration. A representation of the officers and soldiers of lieutenant-general Cromwell's regiment to the general, reciting the great successes God had given to the army under his condnct, and the late horrid and unnatural defection of some of them from the parliament and general his authority. That from their hearts they disown the having any hand in countenancing the revolt and capitulation of the twelve troops of the army, or any others, or the papers which have scandalized the parliament, council of state, or army, and bless God for the general's reducing of them.

They profess to hazard their lives and all that is dear to them, for preservation of this parliament, and, while they are soldiers, to submit to the general his authority over them under the parliament.

A declaration came from Portsmouth in vindication of themselves and others touching the Levellers.

June 1649.

1. Upon a report from the commissioners of the great seal, of the names of fit persons to be judges and barons of the exchequer, the house voted, Judges.

That sergeant Nicholas and Mr. Ask be judges of the upper bench:

That sergeant Puleston and Peter Warburton, esq., be judges of the common-pleas:

That sergeant Thorp and colonel Rigby be barons of the exchequer:

And that the commissioners of the seal do grant them patents accordingly.

That Mr. Broughton be clerk of the crown of the upper bench, in the place of Mr. Ask, he being made a judge.

An act passed declaring the grounds of the next thanksgiving day.

Upon the general's desire, the house confirmed what colonel Pine had done in Somersetshire, in raising force there against the Levellers; by letters from the general, he and sir T. Wroth had the thanks of the house for what they did.

Sir Thomas Soames being called to the bar, and asked why, having notice of the proclaiming the act against kingship, he did not attend the lord mayor at the doing of it; Sir Tho. Soames.

He answered, that it was against several oaths which he had taken as an alderman of London, and against his judgment and conscience.

Alderman Chambers being asked the same question, answered, that his heart did not go along in that business. Alderman Chambers.

Sir Thomas was disabled from being a member of the house, and disfranchised from being an alderman, or to bear any public office. And alderman Chambers was disabled from being an alderman, or to bear any public office.

I received this letter from the earl of Pembroke:

To the right honourable my much honoured friend Bulstrode Whitlocke, esq., one of the lords commissioners of the great seal, and lieutenant of Windsor forest.

Sir,

Since you have favoured me so much as to accept of the lieutenancy of Windsor forest, I pray continue your respects to me so far forth as to admit of my present importunity, that you will please to

consider of my lady Mainwaring's pretence to Sayo's walk, or any other part thereof in the said forest, derived, as she saith, from the right of a grant for a term of years which her late husband sir Arthur Mainwaring had in his lifetime from king James, or king Charles, I cannot punctually say which; for as I would not willingly oppose any just title that she hath thereunto, so, on the other side, I shall not easily disappoint my worthy friend Mr. Francis Allen, a member of parliament, of the custody, on whom I have conferred it, so far forth as in me lies. In order hereunto, I will take course that you shall be attended by some such person as her ladyship shall appoint, to evidence the justness of her claim, which when you have considered of, you may please to let me understand your opinion therein, that I may fix my resolution in the settlement thereof accordingly; for which trouble I do the rather crave your pardon and excuse, because I shall never account it any to do you all serviceable respects that possibly may fall within the best performances of him who is so perfectly,

Sir,

Your faithful friend and servant,

Cockpit, Whitehall, June 1649. PEMBR. MONTGOMERY.

2. An act passed for sale of the goods of the late king, queen, and prince; but the sale of the pictures was respited.

An act passed for doubling upon the public faith, upon the sale of deans' and chapters' lands.

Orders for the commissioners of the seal to issue out writs to make Mr. Warburton, colonel Rigby, and Mr. Ask sergeants at law, they being to be made judges.

Order for the council of state to bestow a house and maintenance for Mrs. Elkinea and her children.

4. Upon a report from the committee of absent members, colonel Russel, Mr. Edwards, Mr. Fr. Gordon, Mr. Hodges, and Mr. Ellis were readmitted to sit in the house.

Petitions of many poor prisoners for debt, that the act may be passed for their relief.

An act published of the grounds of the next day of public thanksgiving.

A declaration of the officers and soldiers of colonel Horton's regiment, testifying their adherence to the parliament and to the general, presented to his excellency.

The like from major-general Skippon's regiment, and from the town of Portsmouth.

Letters from Scotland, that a declaration was brought from 406
Ireland thither against the parliament of England; that at their thanksgiving the ministers vehemently preached against the malignants and sectaries.

Letters from Chester, that Dublin is in a good condition; that one of the soldiers, by sentence of the council of war, was shot to death for moving one of his fellows to run away to the enemy; and that prince Rupert and Inchequin are at great difference, and so are Owen Rowe and Ormond.

Letters from Holland, that the Danish ambassador desired to borrow of the States a great sum of money for the king of Scotland, and offered the Sundt security for it:

That at the diet at Sweden itw as resolved to assist the king of Scotland with money:

That the lord Cottington and sir Edward Hyde, ambassadors from the king of Scotland, desired audience of his highness Leopoldus, and from thence were to go for Spain.

5. Colonel Popham, one of the generals at sea, reported to the house the good service of the fleet; the relief of Dublin with provisions; that sir George Ascue is left there with some ships; that fifteen of prince Rupert's ships are blocked up in Kingsale; and desired speedy supplies for the navy.

The house ordered supplies accordingly, and thanks to the generals at sea, and to colonel Jones, and that these successes at sea should be remembered in the day of thanksgiving.

The council of state gave order for Flemish ships to transport the horse into Ireland, and for the regiments to march to Chester and other ports, and not to stay above one night in a place.

Letters from sir George Askue, that he had furnished Dublin with provisions, and sent others to sir Charles Coote, and had blocked prince Rupert's ships at Kingsale.

Letters that the lord Rea and twenty other prisoners were brought to Edinburgh.

6. A new mace, with the arms of England and Ireland, in- New mace.
stead of the king's arms, approved, and delivered to sergeant Birkhead to be used for the house, and all other maces for the commonwealth to be of that form.

Vote for 3000*l.* to be given to Mr. Blackston's wife and

children, in respect of his losses, and 500*l.* to his brother, out of the lord of Newcastle's and lord Widdrington's estates.

Order for captain Bishop, provost-martial, to apprehend suspected persons, and to have 100*l.* per annum salary, and twelve men at 1*s.* per diem apiece.

Order for 1000*l.* for a stock to settle poor people to work.

Speaker. Upon a report from the council of state, ordered, that when the speaker with the house came into the city the lord mayor should deliver up to him the sword, as he used to do to the king, and that at the feast the speaker should sit above the lord mayor, and referred it to the council of state to order matters of ceremony at the meeting.

Letters that the queen of Sweden had furnished the king of Scots with great store of ammunition.

A declaration of the officers and soldiers of colonel Reynolds's regiment, to the same effect with those of other regiments.

Parliament feasted. 7. The speaker with the house of commons, the general with the officers of the army, the lord president and council of state, after the hearing of two sermons, went to Grocers'-hall, to dine with the lord mayor, aldermen, and common-council, according to their invitation.

The speaker sat first, next to him the lord mayor, then the lord general, then the earl of Pembroke called to me to sit down, being the ancient commissioner of the great seal; I desired his lordship would be pleased first to sit down, and then I would sit by him. With that the earl spake aloud, (as he used to do,) that all near him might hear, "What, do you think that I will sit down before you? I have given place heretofore to bishop Williams, to my lord Coventry, and my lord Littleton;

"And you have the same place that they had; and as much honour belongs to the place under a commonwealth as under a king, and you are a gentleman as well born and bred as any of them; therefore I will not sit down before you."

With his earnestness he caused me to sit down before him, and sat himself the next to me; and then the lord president of the council, and the two other commissioners of the great seal, (the earl of Salisbury and the lord Howard,) sat next to the earl of Pembroke; and after the commissioners of the seal

sat lieutenant-general Cromwell, and other members of parliament and of the council of state.

At two tables on each side of the hall sat other members, and at a table in the middle of the hall sat major-general Lambert, and other officers of the army; the judges sat in a room over the parlour, which was very large, and the lord mayor, aldermen, and some common-councilmen at another table in the same room.

The music was only drums and trumpets; the feast was very sumptuous, no healths drunk, nor any incivility passed; and besides the overplus of the victuals left at dinner, 400*l.* was given to the poor of London.

8. An act passed for settling maintenance upon the ministry of the nation.

Report touching relief for maimed soldiers' widows and orphans of soldiers slain.

Referred to the committee of Oxford to prefer Mr. Thomas Goodwin-and Mr. Owen to be heads of colleges in that university, and that they have the hearty thanks of the house for their sermons yesterday.

Some members of the house and of the city ordered to return the hearty thanks of the house to the lord mayor, aldermen, and common-council, for their great love and civilities yesterday expressed to the parliament and army.

Referred to a committee to consider what mark of honour and favour the parliament should bestow upon the city for their real affection to the parliament.

Some aldermen and common-councilmen, in the name of the lord mayor, aldermen, and common-council, presented the lord general with a large and weighty bason and ewer of beaten gold, as a testimony of the affections of the city to his excellence.

They also presented from the city to the lieutenant-general Cromwell plate to the value of 300*l.* and two hundred pieces in gold.

9. A long debate touching absent members: voted, that those who gave their votes for addresses to be made to the late king should state their cases in writing by a day to the committee for absent members, which if they neglect to do, then writs to be issued out for new elections in the places of those who shall so neglect. Vote.

407 11. Debate touching the earl of Chesterfield's composition.

Letters from the countess of Leicester and the earl of Northumberland, for allowance for the late king's children, referred to the committee of the revenue to provide moneys for them.

Order for demolishing Montgomery-castle, and allowance to the lord Herbert for his damage thereby, out of his fine.

Order for demolishing Winchester-castle, and reparation for the damage thereby to sir William Waller. The like for Belvoir-castle, and for reparation of the damage thereby to the earl of Rutland, referred all to the council of state.

The act passed for relieving persons comprised in articles.

Another, for altering the original seals of Carmarthen, Pembroke, and Cardigan.

Another, for altering the seal of *Nisi-prius* of the common-pleas.

Dorislaus. Order that the members of the house, and of the council of state, the lords commissioners of the great seal, and judges, do attend the funeral of Dr. Dorislaus.

Scotland. Letters that the parliament of Scotland took many exceptions to the letter sent to them from the parliament of England. That they go on in raising forces, but the quelling of the Levellers in England did not please them. But they bewail the suffering condition of their presbyterian brethren in England.

That in Scotland are many English officers and soldiers, who expect employment when their new king cometh, and are out of patience and money by his long stay; that the Scots fear a famine, and execute very many for witches.

12. Order for six thousand men for the summer guard, to be proportioned to the ships, and three thousand for the winter guard.

Referred to the committee of the army to confer with the council of state touching the number of forces to be kept up, and the pay of them.

Referred to a committee to prepare an act upon sir Henry Vane's report touching the excise.

The new judges were sworn in the several courts; and it came to my turn to make the speech to those who were sworn judges of the common-pleas, who were Mr. Sergeant Peuleston and Mr. Sergeant Warburton.

Wherein (amongst other matters) I told them of their being the first judges publicly sworn in this commonwealth, and spake to them concerning judges in general, judges of this commonwealth, and judges of this court. On the second head I told them, that the judges in this commonwealth are of as great antiquity as is the law itself. That the Druids were judges or interpreters of the law amongst the Britons. And as they studied the law twenty years, yet committed nothing to writing; so our judges spend as much longer time in the same study, and our common law is *lex non scripta* at this day.

I also intimated to them what I found in Ingulphus, p. 870, and in Selden's *Janus Anglorum*, of the division made by king Alphred, or Allured, *in judices, quos nunc justitiarios vocamus, et vicecomites.* And in the same author, that when Will. I. upon the suit of the abbot of Crowland confirmed the laws of St. Edward, he proclaimed them to be kept, *et justiciariis suis commendabat.* And then he thus proceeds:

All these are testimonies of the antiquity of our judges, but I hold not this essential to be largely considered, save as it falls in our way. Neither shall I rob you of your time by an elaborate discourse of the honour and respect due to your place, only you may pardon a few observations thereupon, and the rather, for the particular relation I have to that calling. What respect the Saxons had to their judges appears in the etymology of their word *grave*, which signifieth *a judge*, and *an earl*, sir John Dauys Rep.

As in the old law of the Ripuarians, c. 55. act. 1st, the title being *Si quis crassionem interfecerit;* the text is, *Si quis judicem fiscalem, quem comitem vocant, interfecerit,* Seld. Tit. Hon. f. 121, 127. and Haillan. f. 274.

But to come nearer home, we find in the law of Hen. 1. this description of a judge, *Regis judices sunt barones comitatus, qui liberas in eis terras habent, villani vero, corsetti, vel ferdingi, vel qui sunt viles, aut inopes personæ, non sunt inter judices numerandi.*

Whence appears the reason of the judges of the exchequer being called barons, Seld. Tit. Hon. f. 347, and 390. Lambert. f. 186. 1 Hen. 6. f. 7.

Agreeable with this is the testimony of Bracton, who saith thus: *Comites vero vel barones non sunt amerciandi, nisi per pares suos, et hoc per barones scaccarii, vel coram ipso rege.*

Upon which, and the case of the earl of Northumberland under Hen. VI, Selden observes that all judges were held anciently as barons.

And the writ by which they were summoned to parliament is in the same style, and hath in it the same words with the writs of summons of barons, *consilium vestrum impensuri*, those of the commons being *ad faciendum, et consentiendum hiis, quæ de communi consilio ordinari contigerint.*

And in some entries of judgments upon writs of error in parliament the words are *ex assensu justitiariorum*, and the title of *lord* was given anciently to all the judges, as appears in divers of our books and records, and is still given to the judges of assize.

They have their officers, and their purveyance, as the barons had, until taken away by the statute from both Rot. Parl. 10 E. 2. pt. 2. M. 20. and 2 E. 3. pt. 1. M. 33. and Rot. Claus. 11. E. 1. and this was taken away by the statute 4 E. 3. c. 3.

There be divers cases and records of punishments inflicted on those who gave any affronts to judges, and especially that noted case of Roger Hengham, M. 33 and 34. E. 1. Rot. 71. in the receipt of the exchequer.

So tender hath the state always been of the honour of their great public officers; and as the state is, so the judges themselves ought to be very tender of that honour with which they are intrusted, which is not so much theirs as the nation's honour, and the honour of the law itself.

They are neither to lessen their honour by a carriage too lofty, for most honour is gained by courtesy and humility; nor to lessen their honour by a port too low and unbeseeming their quality. But this point needs no consideration in this place.

I hasten to my last particular, which is concerning *judges of this court*. A high and ancient court, high in respect of the universality and business of it; the liberties, franchises, and property of all the people of this great nation are determinable in it.

And concerning the antiquity of the court, give me leave upon this occasion, and for the right and honour of this court, a little to look into an opinion delivered by great and learned men upon that point.

408 Not that I presume upon my slender judgment to control theirs, but to lay before you their assertion, and what authorities I have met with in my little reading to the contrary, that yourselves, by comparing both together, may the better judge of the difference.

Lambert, Cowel, sergeant Fleetwood, sir Thomas Smith, and a manuscript concerning masters of the chancery, all of them do affirm, *that the court of common-pleas was erected by the statute of Magna Charta*, cap. 11.

The words are *communia placita non sequantur curiam nostram, sed*

sint in loco certo; from hence they collect that common-pleas, which before were held in other courts, and followed the king's house, were not settled in a place certain, nor the court of common-pleas erected till this time.

Of these authors sir Roger Owen in his manuscript saith, *they are like unto ostriches, birds of great feathers, yet little flight:* I cannot subscribe to their opinion upon these grounds.

Beda, f. 10, relates, that the prime monarch, with the consent of the states of parliament, allotted pleas of the crown to one court, common suits of subjects to another, and matters of revenue to a third; and this was long before Magna Charta.

They mistake the words *curiam nostram* in this place of Magna Charta to signify *the king's house,* which had not then that appellation; but the word *curia* had another signification.

Among the Romans, whose word it is, *curia* sometimes was taken for the 30th part of the people, into which Romulus divided them; but more frequently it signified with them an assembly of *clergymen* and *lawyers,* as *curia Hostilia, Pompeia, Julia,* &c.

St. Augustine, in his comment upon the 121st Psalm, saith, that *curia* improperly is taken for *a tribe,* but properly signifies *the courts of justice* in cities and countries.

In the same sense the word is taken with us, and was so before any application of it to *the king's house,* as is plain in the Mirror of Justices. Glanvil, the stat. of Malbridge, 51 Hen. 3. the stat. W. 1. 13 Eliz. 1. and Will. 2. 13 Eliz. 1. and others, and in Walsingham, Ingulphus, Hoveden, Paris, and all our chief historians.

In Hen. 3d's time, and after, *hospitium regis* was generally the word for *the king's house;* as *mareschallus hospitii,* in their letters patents; and Britton calls it *hostel du roy.*

That ground then will fail them, that by the word *curia* in Magna Charta is meant *the king's house,* but, as sir Roger Owen and others conjecture, by it is meant *the courts of chancery, king's bench,* and *exchequer.*

The case 21 Ed. 3. Fitz. Bre. comes to this: where a writ *de rationabili parte bonorum* was brought in the king's bench, the defendant pleaded this part of Magna Charta, *communia placita non sequantur curiam nostram;* and though he had been at issue, yet the plaintiff would not proceed.

And in 26 Ed. 1. in the treasury, one Nicholas de Scotland brought an assize for land, which was reversed for error in the king's bench, where the judges willed Nicholas to arraign a new assize in the common-pleas, because by the words of Magna Charta, *common-pleas*

ought not to follow bancum regis, and there are no other words (*curiam nostram*) in Magna Charta but these.

In the statute *articuli super chartas*, it is said, *no common-pleas shall hereafter be held in the cheq. against the tenour of the great charter*, and there be no words restraining suits of common-pleas by the great charter but these.

To make it more plain, it is agreed by Hoveden, Paris, and others, and I think not to be denied, that Magna Charta were the laws of Edward the Confessor: and in that case, 21 Ed. 3, the defendant pleaded this part of it, not as an act of parliament, but as a common consent and custom.

To this purpose, that is pertinent 26 Assis. p. 24. where the abbot of B. prescribes to have cognizance of pleas, and to have an original out of court, by usage in the time of St. Edmund and St. Edward kings. And that Hen. 1. by his charter confirmed all the usages, and that they should have cognizance of all manner of pleas; so that the justices of the one bench or the other should not intermeddle: upon which my lord Coke, Lit. 71 B, collects, that then there was this court and these judges.

In the treasury of the chequer are many records of pleas of king Hen. 2. Ric. 1. and king John, dated in the court of common-pleas.

In an ancient roll there is contained the suit between the abbot of Anjou and the abbot of Crowland about the meers of a marsh, in the court of common-pleas in Ric. 1. and king John's time, and the names of the justices set down in the roll thus, *Justitiarii in banco residentes*, and the chancellor writes to them by that name.

Glanvil, in his second book, writes of them which would not wage battle, but have their matters tried by a jury, fol. 14. that they were to be tried *coram justitiariis in banco residentibus*.

In Glanvil's 4th book, it is said, that *Quare impedits* are returnable *coram justitiariis apud Westmonasterium;* which they are to this day.

In his eighth book he writes, though fines were levied in many other courts, yet still they were engrossed *coram justitiariis in banco residentibus;* and so they are to this day.

An act passed for Mr. Broughton to be coroner of the upper bench.

Dr. Walker is made one of the judges of the admiralty.

A petition of Mr. Gething for money, and a demand of money by the lord Grey of Wark, referred to the committee to remove obstructions in the sale of deans' and chapters' lands.

An act passed to encourage the manufacture of salt.

Order of the council for demolishing of Lancaster-castle.

Letters from the parliament's navy, that divers of prince Rupert's seamen came in to them; that the prince had very few men, and most of them such as had been taken prisoners by him.

Letters from Chester, that the Irish rebels came near to Dublin, and many of the parliament's forces ran to them; that wheat in Dublin was at 55*s.* the barrel.

From Ireland, that Ormond was come with twelve thousand foot and two thousand four hundred horse within twenty-five miles of Dublin, where he had besieged some places; that colonel Jones went out with a party to relieve them; that the catholics and old protestants went daily in to Ormond.

13. Referred to a committee to consider of some things offered in behalf of the people of New-England.

Raising money for lame soldiers referred to the committee of hospitals.

Order for the commissioners of the seal to pass several pardons, upon certificates of the judges, for persons condemned in the circuits.

Order that the earl and countess of Leicester take care that no other ceremony be used to the late king's children, than 409
is used to noblemen's children of this nation.

A declaration of the officers and soldiers at Lancaster, to the same effect with those from other regiments, was presented to the general.

The mayor and divers citizens of Oxford presented me with a patent to be high steward of that city, to which I was unanimously chosen by them in the place of the earl of Berks.

Upon lieutenant-general Cromwell's desire, referred to a committee to take his accounts of his expeditions into Wales and Scotland, and to give him discharges.

14. Much time spent upon the business between sir John Danvers and the lady Gargrave, touching the estate of the late earl of Danby their brother, and resolved upon the question, that sir John Danvers was deprived of that estate by the will of the earl, for his affection and adhering to the par-

liament; and referred to a committee to consider how sir John's losses thereby may be repaired.

Letters from Holland, that prince Charles was attended from the Hague by the princess his sister, and many persons of eminence, and with forty troops of horse to Breda, and from thence to Antwerp, and so to Brussels, where the archduke Leopold intends to receive and conduct him into France.

15. Moneys ordered for the lord L'Isle, upon his accounts, as lord lieutenant of Ireland.

Referred to the council of state to order the going of the several judges in the next circuits.

Upon information of the good service done by baron Thorpe in the last northern circuit, ordered that he go the same circuit this vacation.

Order for judge Pheasant to make choice of his circuit, or to stay at home, being sickly.

Mr. William Littleton and Mr. Bulstrode ordered to be judges of North Wales.

Order for the committee of the revenue duly to pay the salaries of the lords commissioners of the seal and of the judges.

Order for an act to enable the judges who ride the northern circuit to keep assize at Durham for the bishopric.

Upon a report from the council of state, the house approved of commissary-general Ireton to go into Ireland next commander-in-chief unto lieutenant-general Cromwell; and that he have presently paid him 2000*l.* in part of his arrears.

Letters, that store of provisions of corn were brought in by Dutch ships into Lancashire.

An act passed for transmitting into the exchequer bonds forfeited to the commissioners of excise, to the end they may be put in suit. And the commissioners of excise were continued till the 25th of December next.

Order for an act to ease the people in payment of the excise.

Order, that the trustees for sale of bishops' lands do put their powers in speedy execution.

Upon the petition of the widows of slain soldiers, referred to the committee of Haberdashers'-hall, to allow them their

husbands' arrears, out of such concealed delinquents' estates as they should discover.

Power given to the trustees to sell deans' and chapters' lands at ten years' purchase.

The general sent a letter to the colonel of each regiment to give him an account of the taking off of free quarter.

18. An act passed for relief of persons according to articles of war.

Upon a recommendation of the general, ordered, that sir William Fleetwood, sir Edward Sydenham, Mr. John Carey, Mr. Adrian May, and Mr. Stidolph, shall have the benefit of the articles of Oxford.

Order for a writ for a new election of a member for Abington.

Order for 100*l.* for arrears of Mr. Rowland Wilson, as muster-master-general for the forces of Warwickshire.

Major Cobbet dismissed of his command, and captain Rogers committed to the marshal by order of the general.

Letters, that the inhabitants of Drayton in Shropshire, on the last Lord's day, in the night, fell upon captain Thelwel's troop, and disarmed and pillaged them.

That the reduced soldiers at York seized upon some of the officers who were to pay them their arrears, and kept them in restraint four hours.

19. Order for 1000*l.* for the lord president Bradshaw; and referred to a committee to consider how 2000*l.* per annum lands of inheritance may be settled upon him and his heirs; and how 1000*l.* per annum may be settled upon major-general Skippon and his heirs for their good services.

An act passed, read three times this morning, to enable the judges that go the northern circuit to hold assizes at Durham.

A petition of Mr. Stedman, &c., referred to the committee of Leicester.

Upon a report from the council of state, referred to the court of admiralty to examine a business touching some merchants of the intercourse, and certify the house.

Letters from the generals at sea, that they intended, as soon as weather will permit, to recover Kingsale road.

Colonel Reynold's regiment and colonel Okey's companies were ready to be shipped for Ireland.

The general sent his orders to every regiment to permit any of the regiment that would go for Ireland, and not to entertain any in their rooms till further order; and to lieutenant-general Cromwell, not to entertain any who have left any regiment designed for Ireland, and to have their accounts stated.

Letters from Chester, that colonel Jones and Owen Row were so far agreed as not to disturb one another's quarters.

Letters, that the Scots were new-modelling their army, and none to be of it but those who take the covenant; that the commissioners of the kirk would have the king further pressed to grant their desires.

20. Petitions reported by commissary-general Ireton.

Petitions from Kendal referred to the commissioners of the seal, and the attorney-general.

Petition of the earl of Lincoln for damage for the demolishing of Tatter's-hall castle referred to the council of state.

Order for disposing 1480*l.* taken in a Dutch ship at Gravesend.

Order for satisfaction of losses to Mr. Everard and others of Essex out of the estate of Butler, an Irish rebel.

Another petition referred to the commissioners of the great seal.

An act passed for lessening the rates in the sale of deans' and chapters' lands.

Dismantling Gotheridge-castle referred to the council of state.

Letters, that some of prince Charles' ships had taken divers fishermen.

The committee touching major-general Browne and other members revived.

Order for the trustees for sale of bishops' lands to put their powers in execution for speedy bringing in of moneys due upon contracts with them as well against members of the house as others.

The committees to sequester those in default; and divers orders made to remove obstructions in the sale of deans' and chapters' lands.

21. Mr. Lenthal, the speaker's son, readmitted to sit in the house.

Letters, that Ormond was come up with twelve thousand

into the quarters of Dublin; that divers from the town ran away to him; that colonel Jones and colonel Monk were preparing to march out to him.

22. A report from the council of state, that before the house do adjourn it will be fit that these acts be passed by them; viz. Acts.

All general acts concerning moneys for settling the militia.

For prohibiting the exportation of wool and fullers' earth.

To prohibit the exportation of gold and silver.

For punishing revolted seamen, and for investing the judge of the admiralty with his power.

For relieving well-affected tenants against their oppressing landlords.

For suppressing all scandalous and malignant pamphlets, and the authors and printers of them, and to prevent as much as may be printing.

For punishing licentiousness and abuses in pulpits.

For repealing the clause in the statute 35 Eliz. concerning sectaries.

For a general pardon.

For relieving poor prisoners for debt.

For securing the soldiers' arrears.

For probate of wills, granting administrations, and investing ministers in livings.

The council further reported divers things to be prepared during the recess of the house for their debate at their next meeting; viz.

An act for taking away tithes, and for settling another maintenance for the ministers, and concerning future parliaments.

For regulating proceedings at law, and what laws are fit to be repealed.

The house appointed a day to take these matters into consideration.

The commission to lieutenant-general Cromwell to command in chief the forces in Ireland was read in Latin and in English, and approved, and ordered to pass the great seal, to be in force for three years. Cromwell.

And the civil and military power to be in him for that time.

An act passed for making Robert Bernard, esq. judge of the isle of Ely.

Order for the painted chamber to be prepared, and hanged, for the commissioners of articles to sit there.

An act passed for stating the accounts of all officers and soldiers.

A proclamation by the general forbidding soldiers to put their horses into mowing grounds.

23. Upon consideration that the money was very little that yet came in by sale of deans' and chapters' lands, ordered, that the officers and soldiers, whose accounts are audited, may double their arrears for purchase of those lands.

The desires of the earl of Denbigh, touching his arrears for his embassy into Italy, and other arrears, referred to the committee of the revenue.

Referred to a committee to consider of colonel Henry Martin's losses, and of his arrears, and how they may be satisfied.

25. The petitions of the earl of Rutland and of the lead-miners referred to the judges of the northern circuit.

An act passed for holding the assizes for Lancashire in Lancaster-castle.

The next winter's guard for the seas approved of.

The extraordinary charges of lieutenant-general Cromwell, for his journey into Ireland, referred to a committee to consider and report.

Referred to a committee to select the acts fit to be passed before the adjournment of the house, and what matters to be debated during the recess.

The lord Grey's disbursements and arrears referred to a committee how he may be satisfied.

An act for making a judge of the admiralty and cinque ports rejected.

An act passed giving power to the council of state to grant letters of marque and reprisal.

An additional act passed for encouragement of purchasers of deans' and chapters' lands.

Letters from colonel Blake and colonel Deane, generals at sea, that they are again before Kingsale; that prince Rupert and Maurice are there, and have gotten four hundred seamen from Waterford; that Ormond's army is fourteen thousand.

A paper of requests delivered to lieutenant-general Cromwell for recruits and supplies for sir Charles Coote's forces in

the north of Ireland, that they, being three regiments of horse and three of foot, have had but eight months' pay in eight years, and a peck of oatmeal a week; and that sir Charles Coote may be relieved.

Letters, that colonel Jones was marched out of Dublin with four thousand foot and one thousand horse upon Ormond's drawing near the town, but that Ormond being within five miles of him, Jones retreated to secure Dublin.

Letters from Scotland, that their king had parted with Montrose, had consented to the covenant, and to the desires of the kirk, and to confirm what was done by his father's authority, and by the parliament of Scotland since, and that shortly they expect their king with them. Scotland.

26. The act for relief of creditors and touching prisoners recommitted.

A proposal by sir Paul Pindar and the rest of the old commissioners for the customs to advance 100,000*l.* for the parliament, if they might be secured a debt of 300,000*l.* owing to them by the late king, was laid aside.

A report for papists, who had not been in arms, to be admitted to compound, was laid aside.

Captain Young spoiled a ship in Helvoetsluice in Holland, being ready to set sail for the prince; and took a frigate belonging to the prince with seventy prisoners, and ten pieces of ordnance in her, and a corn ship.

Letters, that captain Peacock, upon discovery of two corn ships taken by one of the prince's vessels, recovered both the ships, and brought them to harbour, and took one of the prince's men of war, and another ship taken with eleven guns and ammunition.

Letters, that the prince was at Brussels, and at a stand what to do, because the Levellers in England were reduced; that he was expected shortly to be in France.

Letters that a frigate (of sir John Greenville, governor of Scilly, with two brass guns, twenty-four muskets, and twenty-four oars, made for piracy) coming near Swansy, the governor of Cardiffe sent out boats, pursued the frigate from creek to creek, and at length took her and all her men, except the captain and some few with him, who got on shore and fled away. 411

27. Letters from colonel Jones of his march out of Dublin,

and after some skirmishes his retreat, being so much overpowered, and desires relief.

Other letters of colonel Jones's march, and that thereby he much straitened the enemy's quarters, and made a very honourable retreat, and in all demeaned himself with great valour and wisdom.

Order touching 350,000*l.* upon the sale of bishops' lands.

Order concerning compositions, and the accounts of Goldsmiths'-hall.

28. Upon a report of Mr. Salway, further time given for compositions of delinquents.

Adjutant-general Sadler went to Chester, to transport three regiments for Ireland.

Forces about Pontefract disbanded, and many of them listed for Ireland.

Letters that prince Charles was highly entertained at Antwerp at the cost of the burghers.

29. The petition of the earl of Denbigh for arrears referred to a new committee.

An act brought in by the council of state, for repealing the statutes 23 El. and 35 El. against pretended sectaries, and the statute 1 Jac. recommitted.

Order for payment of the salaries to the judges of the admiralty.

Order to borrow 150,000*l.* for Ireland.

An act passed for discharge of the commissioners of the excise, upon their accounts.

Sir Henry Heyman and another readmitted to sit in the house.

Upon my report, Baron Gates, by reason of his sickness, was excused from riding the circuit, and sergeant Green ordered to go judge in his place.

Power given to the commissioners of the seal to grant commissions of sewers, and of charitable uses, as any lord chancellor, lord keeper, or commissioners of the seal used to do.

Letters that the enemy had besieged Dublin; that colonel Hewson twice beat off their parties with loss to them, and came off with flying colours; that colonel Jones sent to Chester for corn.

That the enemy was within one mile of Dublin, from whence

a party skirmished with them, and took one captain Duncan prisoner.

That Londonderry was not in a very bad condition.

30. The lord commissioner L'Isle, being formerly by the house made master of St. Cross's hospital, did now voluntarily surrender it to the house again; and they bestowed it upon the solicitor-general Mr. Cook; and ordered augmentations of means to the ministers and poor brethren, as the lord commissioner L'Isle had formerly given.

Debate upon the act for sale of the king's houses, parks, &c.

The king's houses.

And voted that St. James's house and park, Theobald's park, Windsor-castle, and little park, Greenwich-house, castle, and park, should be reserved from sale for the use of the state.

And referred to the council of state, to consider what other houses, parks, &c., of the king's should be reserved from sale.

The new park near Richmond was given to the city of London, as a testimony of the favour of the house to them.

Order for saving the timber in the parks, &c., for the use of the navy.

Letters from Cheshire, that Ormond had besieged Dublin with fourteen thousand men, and doubted not but to carry it in a short time, and that divers ministers in Cheshire did pray publicly for restoring Charles II. to his father's crowns and honours.

July 1649.

Letter to the parliament.

2. A letter from the parliament of Scotland, in answer to the letter sent to them from the parliament of England, in high language and invective against the late proceedings in England, but desiring that commissioners of both kingdoms may meet, and treat about a good correspondency between the two nations.

Referred to the council of state how to prosecute the desires of the parliament of England, and to vindicate it from the aspersions cast upon them by the parliament of Scotland.

Captain Row, who brought the Scots answer, had 100*l.* given him.

Divers orders for money, and approbation of the general's allowance of more than ordinary pay, in regard of billet-money.

A petition of the carmen, setting forth the oppressions and

exactions of the woodmongers, and desiring to be made a new corporation of the carmen, referred to a committee.

The 400*l.* per annum allowed to Dr. Usher, primate of Armagh, continued.

Order for seventy to be of the lifeguard to the lieutenant of Ireland, and Mr. Owen to go his chaplain, and his wife and children to have 100*l.* per annum in his absence.

Ireland. Letters that colonel Jones put all the men Roman catholics out of Dublin, that Ormond took in all the country about Dublin, and put Jones to great wants; that sir George Askue secured the harbour for the army to land from England, and that most of the English joined with Ormond.

Letters that five witches were burnt at Edinburgh, who had the marks upon them which they had from the devil.

The parliament of Scotland sent a gentleman to the queen and ch. of Sweden, to acquaint them with their proceedings with England, and their falling off from them upon their late transactions, &c.

That they prepare for new levies of fifteen thousand horse and foot, to be added to the five thousand now in being.

The earl of Northumberland lent me his house at Sion.

3. Debate upon the act for sale of the parks, lands, &c. of the late king, and officers agreed upon.

Colonel Martin's accounts stated, and he ordered to have 100*l.* per annum inheritance in lieu of his arrears.

The lord Grey's accounts passed.

A pardon ordered for some prisoners condemned in the circuits.

Referred to the council of state to take care for bringing in the arrears of London's assessment.

412 Letters from Dublin that colonel Jones sent out twelve horse, who charged thirty of the enemy, routed them, and took lieutenant-colonel Duncan prisoner, and wounded captain Dungan mortally, and that Ormond stood within half a mile looking on.

That divers malignants are imprisoned, and the papists driven out of the town, but their wives and children stay; that Jones's men killed a captain and lieutenant of Ormond's horse, took a cornet and four horse, and lost a quarter-master.

That Inchequin wrote to Jones to treat, but he returned a sharp denial.

Letters that prince Charles near Antwerp was met by some eminent persons, and presented by the archduke with a sumptuous coach studded with silver, and six gallant Flanders' mares drawing it, and six saddlehorses of the Neapolitan race. Prince Charles.

That at Antwerp the magistrates conducted him to a stately palace, where he stayed two days, and was entertained as if he had been king of Spain.

Letters from France, that the queen of England's pension was lessened there from 12,000 crowns to 7000 crowns, and no pension allowed to prince Charles but what his mother gives him.

Letters from Scotland of the strange number of witches executed there; that the kingdom was quiet, and in great expectation of their new king.

4. The act passed for sale of the goods of the late king, queen, and prince, part of the money to pay some of the king's household debts, and 30,000*l.* for the navy.

Debate upon a report from the council of state for borrowing 150,000*l.* of the city for the service of Ireland.

Vote that the letter from the parliament of Scotland to William Lenthal, esq. doth disoblige the parliament of England to proceed with Scotland to a treaty, and referred to the council of state to draw up a declaration upon this and the former Scots letters. Vote.

Letters of one thousand six hundred and sixty barrels of beer, with other provisions proportionable, ready at Bristol, for the soldiers designed for Ireland.

Letters that captain Harris with the Phœnix frigate had rescued divers prizes taken by the Jersey men.

5. Orders for money for lame soldiers and the widows of soldiers slain.

Mr. Steele was chosen recorder of London in the place of Mr. Glyn.

Divers surveys returned of deans' and chapters' lands.

The train of artillery and ammunition was shipped for Ireland.

6. The account of the lieutenant of Ireland approved, and he discharged.

I did voluntarily surrender the place of attorney of the duchy, which the house had formerly conferred upon me:

the house approved thereof, and bestowed the place upon Mr. Hall, to hold it *quamdiu bene se gesserit.*

An act passed for altering the seal of the duchy.

A woman committed to the marshal, and ordered to be sent by a justice of peace to the house of correction, for abusing sir James Harrington.

Order for a day of humiliation, to seek God for his blessing upon the expedition for Ireland.

Order for the speaker to give a pass for the Holland ambassador to transport four horses into Holland custom free.

Order for the attorney-general to bring in an act to prohibit the transportation of horses.

Order that Mr. Attorney-general, Mr. Steele, and Mr. Hurst, should attend the commissioners for articles, as council for the state.

An act passed to settle the master of the mint office.

Yorkshire. A letter from the general to the house, recommending the desires of the grand jury of Yorkshire to have courts of justice settled in that county, referred to a committee.

Five hundred pounds ordered for the Dutch officers.

Colonel Allured made receiver of Yorkshire.

Letters from Dublin, that the lord Mohun and his troop ran away to the enemy. So did sir William Armstrong's troop, and lieutenant-colonel Yeoman's troop. That Drogheda and divers other of the parliament's garrisons were besieged, and could not hold out, nor was colonel Jones able to relieve them. That colonel Trevor and divers others out of colonel Monk's quarters went to the enemy. That all markets were hindered, and all provision very scarce and dear.

Letters from Brussels, that the Scots king was gone for France to salute the king and queen, and thence to go to the queen his mother, who sent to him Piercy and Jermyn, to let him know it was the advice of the council of France, and hers, that he agree with the Scots upon any terms.

Upon complaint to the States on behalf of the Scots king, that some of the parliament's ships destroyed the Antelope ship in Helvoetsluice, the States ordered that the king had liberty to act the same upon any of the parliament's ships in any harbour within their dominions.

Letters that a fleet of English ships in the Sound fought with the Danish fleet, about demand of custom, and worsted

the Danes, but seven Swedish ships coming in, and joining with the Danes, they worsted the English.

7. Long debate upon the act for repealing several statutes against pretended sectaries, and who come not to church to hear divine service, and recommitted.

The lord lieutenant of Ireland had leave, before his going away, to present several petitions to the house for divers friends, which were read, and orders made upon them.

Letters from Dublin, that captain Otway beat up Ormond's horseguards, killed fifty, and took divers prisoners, that Inchequin besieged Tredah, and was bravely repulsed, and lost many men.

I went from London to the manor lodge in Windsor-park, to retire myself from business.

The lieutenant of Ireland presented more petitions to the house, upon which orders were made; and divers of them were for pensions to many Irish gentlemen and ladies in distress. Petitions.

Orders for stating sir George Askue's arrears, and divers others, and for Mr. Knight, the general's chaplain, to have liberty to double upon the purchase of deans' and chapters' lands.

Votes against ministers preaching and praying seditiously, and against the present authority, and to promote the interest of the children of the late king, or that disobey the orders of parliament, that they shall be sequestered. Ministers.

Letters that some malignants at Preston in Lancashire proclaimed Charles II king at the market cross, and nothing was there done against them. 413

Letters from Ireland, that sir Robert Steuart had taken the castle of Kilmore by storm, with fourteen guns, and had lost fifty men.

That colonel Jones by a sally cut off sixty of Ormond's men; that sir George Askue kept open the passage by water.

That the lord Inchequin sent a summons to colonel Jones to render Dublin to the use of the king, to which he returned a smart answer, remembering Inchequin of his former professions and engagements for the parliament's cause, and is now assisting the bloody rebels and papists against the protestant English, for which he advised him to desist, lest he bring misery upon his own family. Ireland.

10. Upon a report of the council of state, of the want of powder, referred back to them to consider of some fit way for the making and providing of saltpetre.

And upon their report, the committee was revived to treat with the common-council about borrowing 150,000*l.* for Ireland.

The lieutenant of Ireland went out of town in very noble equipage, with coaches and six horses apiece, his lifeguard of eighty, who had all been officers, and a great number of attendants.

Tailors. A petition of the journeymen tailors to the general for relieving their fellows by a meeting, for which they ask his leave.

Letters from Holland that the Scots king was come to Paris; that in all his journey he had such entertainment as never before was given by catholics to one of the protestant religion.

11. The day of public humiliation.

Letters from the navy of several vessels taken at sea by captain Harris, with the Phœnix frigate.

Upon the lord-lieutenant's going to Ireland, three ministers did pray, and the lieutenant himself, and Goff, and colonel Harrison, did expound some places of scripture excellently well, and pertinent to the occasion.

12. Long debate about the act for sale of the king's lands.

The common-council provided to lend the parliament 150,000*l.* for Ireland.

Letters that three ships loaden with corn were arrived at Dublin from Chester.

Petitions. A petition of the officers engaged for Ireland, acknowledging the integrity and justice and labour of the house, and as their last request they humbly pray,

That all drunkenness, profane swearing, uncleanness, abuses of the Lord's day, &c. may be restrained, not tolerated under their power.

That proceedings in law may be in English, cheap, certain, &c., and all suits and differences first be arbitrated by three neighbours, and if they cannot determine it, then to certify the court.

That all men's lands and houses may be registered in every parish with their encumbrances.

That tithes may be taken away, and two shillings in the pound

paid for all lands, out of which the ministers to be maintained, and the poor.

That public debts may be paid.

That receivers may account, and prisoners for debts be relieved.

Referred to the committee to consider what things are fit to be done before the house adjourn, and the lord-lieutenant desired to return the thanks of the house to the petitioners for their good affections, and for their engagement for Ireland.

An account of the parliament's navy, that colonel Dean with his squadron lay upon the western road, colonel Popham between the Downs and Portsmouth, and Blake blocked up Kingsale; sir George Askue lay in Dublin road, other ships northward, and some to secure the transportation of corn and provisions from Chester, Bristol, &c. to Ireland.

13. The act for sale of the lands and revenues of the king, queen, and prince, and securing thereby the arrears of the soldiery, again debated and committed.

A petition from the lord mayor, aldermen, and common-council of London, acquainting the house that one of the members thereof, alderman Wilson, was elected one of the sheriffs, and desired the leave of the house that he might serve according to his election.

Upon the question it was voted to be left to alderman Wilson, to accept thereof if he should think fit, and that the house would look upon it as an acceptable service to the commonwealth if he would serve therein, according to the election and desire of the city.

Alderman Wilson being very fit for that place, and freely elected to it, and a conscientious worthy person, considering the affection of the city, and that God had blessed him and his father with the gaining a plentiful fortune in that place, thought it fit for him to spend some of it, and to undergo the trouble of the place for the honour and service of the city.

A petition of the well-affected in Lancashire to the officers of the army, reciting the order of the council of state for demolishing Lancaster-castle, showing the danger thereof to the well-affected, praying them to be a means to the general and to the council, that it may not be done.

14. Debate all day upon the act for sale of the king's lands, &c., and order to meet on Monday at six o'clock in the morn-

ing, for the despatch of this act, that the soldiery may see the care of the parliament for securing their arrears before they go into Ireland.

Order giving further time for doubling upon the purchase of deans' and chapters' lands.

16. An act passed for sale of the crown lands, to secure the arrears of the soldiery.

Order for allowing 3000*l.* to Mr. John Browne, clerk of the lords' house, for his losses, and referred to a committee how to raise it.

Referred to the council of state, to examine a mutiny of the reduced soldiers at York, and to punish the mutineers.

A petition from South Wales, that when colonel Horton with his regiment shall be drawn from thence to Ireland, colonel Martin (or who the house shall think fit) may be their commander-in-chief, and they will pay his forces.

Referred to the general to take care of South Wales, and the petitioners had thanks for their good affections.

Letters that the fleet before Kingsale took a vessel of prince Rupert's of eleven guns, and in her captain Leg and sir Hugh Windham, captain Darcy, and sixty men, and ammunition.

That captain Ball took a Holland man of war of thirty guns, loaden with stuffs and provisions for prince Rupert and Maurice, and sent her up to the state.

414 Letters that Tredah holds out against Ormond, who puts the English into garrisons, and keeps the catholics and the Irish in the field to fight.

That captain Jones out of Dublin fell upon Ormond's quarters, took two hundred horse, killed and took a hundred and forty men, without the loss of one man, cut their tents, and retreated to Dublin, whither four thousand quarters of corn were brought in from Chester.

That the lieutenant of Ireland was entertained with great honour at Bristol, and the country came in great multitudes to see him; that he lay there for a wind.

17. The act passed touching coins.

Upon a report from the council of state, who had consulted therein with the general, the house voted,

That when the council should see cause, for the safety of the commonwealth, they might make an addition of forces,

both horse and foot, to be in readiness to take the field, and march with the standing army, and they to have pay only while they should be in service.

Indemnity given to some well-affected justices of the peace of Surrey, who were sued for some things irregularly done by them.

Orders of reference to the lords commissioners of the seal touching coins.

Letters from Scotland, that they resolve to levy a considerable army forthwith, and, as they say, for their own defence.

Letters that colonel Reynolds's regiment of horse and colonel Venables's and colonel Hunks's regiments of foot were ready to be shipped.

Letters from Dublin, that the enemy fiercely assaulted Tredah, but were beaten off with the loss of two thousand men; that the governor went forth with a party of about two hundred horse, and about fifteen hundred foot into the enemy's camp, brought away two hundred of their horse, with some bread, beer, fruit, and sack, but are in great want of provisions, and can receive none from Dublin. Ireland.

18. Vote to discharge Mr. Abbot from being register of the prerogative court, and Mr. Oldsworth and Mr. Parker to have patents for that office.

Referred to a committee to consider what to do concerning ecclesiastical offices and courts.

An act passed for a collection for the propagation of the gospel in New England.

Leave given to lieutenant-colonel Lilburn to visit his sick wife and family.

Letters that sir Charles Coot sent forth captain St. John and captain Taylor out of Londonderry, who fell upon the enemy's quarters, slew divers of them, and took many prisoners.

A declaration passed, in answer to the letter from the parliament of Scotland, to vindicate the proceedings of the parliament of England.

19. Order for the printing and publishing the act declaring what offences shall be adjudged treason.

Several orders passed relating to particular persons, and not of public concernment.

20. Order for the committee of accounts to allow the certificates of the several sub-commissioners for accounts in the respective counties.

Referred to the commissioners of the seal to consider how moneys may be raised for the repair of Marlborough-bridge.

Referred to the committee of the army to confer with the general and officers of his army how free quarter may be totally taken off, and the late act passed for that end be put in effectual execution, and to give an account thereof to the council of state.

Letters from Bristol from the lieutenant of Ireland, about supplies for his forces, referred to the committee of the army.

Order for 500*l.* for Mrs. Farrer of her husband's arrears.

Mr. Fell made second judge of Chester, and the lord president Bradshaw made chief justice of Chester.

Oder for 4000*l.* to be paid to divers, who were labourers in Scotland Yard to his late majesty.

My lord commissioner L'Isle, in my absence, procured attorney-general Prideaux to move the house in both our names, that we may have the duke of Bucks's house, as a conveniency of our being together, for the service of the seal, and that we might have a lease for twenty-one years of that house.

The parliament very freely ordered what Mr. Attorney desired, and referred it to the committee of Haberdashers'-hall to set the rent for it, which they did the same day at 40*l.* per annum, and no more, because of the great charge they should be put to in the repair of it, it being much ruined by the quartering of soldiers in it.

21. Letters from Plymouth, of colonel Leg, sir Hugh Windham, Mr. Kenton, and others, being brought thither prisoners, to know the pleasure of the house concerning them. Ordered that colonel Leg be committed in Bristol, sir Hugh Windham and Mr. Kenton to the mount, for high treason.

Referred to a committee to bring in an act for government of hospitals, and to receive complaints concerning the same.

Referred to the committee of accounts to examine the state of the accounts of the late colonel Thornhaugh, that the arrears may be paid to his widow.

Order to discharge the sequestrations of the estate of sir Trevor Williams.

Debate touching the accounts of the officers engaged for Ireland.

The king's papers taken at Naseby-battle ordered to be delivered to the council of state.

A plot discovered for the betraying of Portland, Weymouth, and other places.

The Isle of Man surrendered to the parliament, and the earl of Derby admitted to his composition for 15,000*l.*

The lieutenant of Ireland appointed Milford-Haven for the general's rendezvous of the forces for Ireland.

Letters of the surrender of Tredah to the lord Inchequin upon articles, the garrison to march out with bag and baggage to Dublin.

23. Vote to readmit the eleven members to sit in the house again.

Letters from the lieutenant of Ireland of his preparations and marches in order to his expedition, and desiring supplies, especially of money:

Referred to the council of state, to take order for the supplies mentioned in his letter, and for sending speedily to him 100,000*l.*

Colonel Oconelly gave an account to the house of the condition of Dublin, and of the good service of colonel Jones and of sir George Askue: they gave him 100*l.*, and ordered thanks to Jones and Askue.

Letters that the regiments of colonel Reynolds and colonel Venables were shipped, and the rest hastening what they could.

That Dublin was in a good condition, the officers and soldiers much encouraged by distributing a great quantity of 415
cloth among them: every field-officer had five yards of fine cloth, every common officer three, and every soldier clothed from head to foot, and that they had plenty of provisions.

That two hundred foot and sixty horse of the garrison of Tredah came to Dublin, the rest took pay under Inchequin. That Ormond's army was enforced to thirty thousand men.

The plot against Weymouth, &c. was to have cut the throats of all the soldiery and those who adhered to them, as the governors certified upon examination of the prisoners.

Letters of store of ammunition come to Berwick by order of the council of state; that a ship of the parliament took a rich bark going for Ireland; that the Scots king intended not to stay long in France, but is doubtful whether to go for Scotland or Ireland.

24. A report from the committee of the navy of the officers for the customs in the port of London and the outports, approved by the house, and the committee ordered to increase the salaries of the cheque in the principal ports, not to exceed 20*l.*, and in the outports 10*l.*

An act committed for settling 1000*l.* per annum upon colonel Martin, out of the duke of Bucks' estate.

The act for settling 2000*l.* per annum upon the lord president Bradshaw, out of the earl of St. Alban's estate and the lord Cottington's recommitted, for an exact survey to be had of the lands.

Ireland. Letters from Dublin, that they are not able to relieve the garrisons for the parliament near them; that of seven hundred of colonel Monk's men five hundred ran away to the enemy, because they have money there.

That the lady Meridith, the lady Weems, and sir Thomas Armstrong's family are turned out of town, because their husbands were gone to the enemy, and colonel Trevor was revolted.

25. The young lady Capel's petition referred to a committee.

Petitions of divers persons for satisfaction out of the marquis of Winchester's estate, for damages done to them by his lordship, referred to a committee.

A letter from the ministers of Scotland to the ministers of London: the house would not read it.

Order that no private business shall be heard in the house for eight days.

An act for encouragement of plantations in the West-Indies committed.

Petitions of doctors of laws referred to the committee for probate of wills.

Orders touching the rents of delinquents' estates in tenants' hands.

26. A long account given of all the forces in England and Ireland, in field and garrison, with an estimate of their pay according to the establishment.

Voted that the assessment of 90,000*l.* per mensem for pay of the forces be continued for three months longer, and no alteration to be of the proportions.

The committee of the army ordered to confer with the general about the total taking away of free quarter.

27. A letter to the speaker reflecting upon some members of the house, for hindering the passing the act for relief of poor prisoners for debt, referred to a committee to examine the writers.

The act was recommitted, and the committee ordered to bring in with it another act for relief of creditors against their debtors.

The question whether there should be an allowance for a president of the council for the forces in Ireland, and whether there should be an allowance for a lieutenant of the ordnance, were both resolved in the negative.

The act passed for New-England.

Letters confirming the loss of Dundalk in Ireland by the treachery of the parliament's soldiers there, and that colonel Monk was landed at Chester.

28. Order for relief of divers inhabitants in Cambridge, by the committee of the eastern association, for their losses, having their houses pulled down for the security of the castle of Cambridge for the parliament.

An act committed for transplanting felons reprieved to the Summer Islands and other English plantations in America.

An act passed for altering the duchy seal of the court at Westminster.

An act passed for constituting sergeant Bradshaw, lord president of the council of state, to be chancellor of the duchy of Lancaster, and Bartholomew Hall, esq. to be attorney of the duchy.

An act passed touching the commissioners of customs, and ordered that alderman Avery, and the rest of the former commissioners of customs, shall have the thanks of the house for their faithful services to the public.

Referred to the council of state, to employ such persons as they shall think fit to be agents for this free state into foreign parts.

Debate touching the power of the trustees for the sale of deans' and chapters' lands.

The general published divers rules and orders to be observed by all the officers and soldiers of his army, under the respective penalties therein mentioned, for the taking off of all free quarter and billet in this nation.

30. The act for regulating the excise after a long debate committed.

The seal of the duchy delivered to the commissioners of the seal.

Referred to the council of state to preserve the books and medals at St. James's from embezzlement.

After this order passed, the council propounded it to me, whether I would take upon me the charge and care of these precious medals and books, and to be the library-keeper, and to appoint whom I thought fit to look to them under me.

I knew the greatness of the charge, and considered the prejudice that might fall out by being responsible for those rich jewels, the embezzlement whereof would be endeavoured by many, and my other occasions would not permit me to give much personal attendance on this business, nor to enjoy much of the delight of perusing them.

Yet I being informed of a design in some to have them sold and transported beyond sea, which I thought would be a dishonour and damage to our nation, and to all scholars therein, and fearing that in other hands they might be more subject to embezzling, and being willing to preserve them for public use,

I did accept of the trouble of being library-keeper at St. James's, and therein was encourged and much persuaded to it by Mr. Selden, who swore that if I did not undertake the
416 charge of them, all those rare monuments of antiquity, those choice books and manuscripts, would be lost; and there were not the like to them, except only in the Vatican, in any other library in Christendom.

The council made an order for me to be library-keeper of St. James's, and to have lodgings in the house belonging to the place, and recommended to me Mr. Duery, a German by birth, a good scholar, and a great traveller and friend to the parliament, to be my deputy in that place, but at my liking.

I was willing to have a deputy by their recommendation, being thereby I should be the less answerable, and I appointed Mr. Duery to have the keys, to go to Mr. Patrick Young the

former library keeper to the late king, to inquire for an inventory of the books and medals, and to see an exact one made forthwith of all of them.

An act passed for altering the seals of the custom-house.

Leave given to the lord mayor and aldermen of London to transport sixty prisoners out of Newgate to the American plantations.

Letters that the lord lieutenant of Ireland was ready to take shipping, that a few deserted the engagement, and that money was much wanting; that five hundred Irish were landed at Jersey, designed (as was imagined) to second the plot for surprising Weymouth, Portland, and other garrisons.

Letters of many pickeroons upon the northern coast, who took divers vessels, and much disturbed the coal ships and fishermen.

Letters from Scotland, that the kirk party much commended their new king, and that his coming thither was expected. That they continued a force of six thousand men, which in ten days they could make up twenty thousand, and persuaded the people that England was sending an army against them to be commanded by lieutenant-general Cromwell. Scotland.

Letters of a Holland man of war taken with an Irish commission, and that had done much mischief on the sea to the English, and taken divers ships from them.

My son James went over in a private capacity with the lord-lieutenant of Ireland, which took off much of envy from him, and procured him the more credit among the soldiery, who love to have their officers to rise to commands by degrees, and not *per saltum*.

My lord lieutenant at his coming to him said, that he was the only gentleman of England that came as a volunteer to serve under him in this expedition, and that he would have a very particular care and respect towards him.

Upon my wife's death I received this letter from my noble friend sir John Holland from beyond sea:

For my honoured friend Bulstrode Whitelocke, esq.

SIR,

I accompany you as a mourner in the sad funeral of your lady, but until this time I heard not of her death; I wonder not now at your so long silence, nor yet at your present expression in the apprehen-

sion of your loss: but I know you wise, and that you know your duty too well towards Him that sent you this affliction, to be too immoderate in your passion. We daily pray that God's will be done; he himself hath taught us so to pray; we ought not to pray for what we will not with patience, yea even with thankfulness, submit to. I did, I confess, very much respect her, not only as she was your wife, which was obligation enough, but even for her own merit: but the confident report here of your death, and which through the force of my own fears had got some possession in me, was a seasonable preparative for this sad news to make me bear it with the better temper, whilst I find you alive. The continuance of whose life I heartily wish, both for the sake of your children and friends, in which number, I hope, you will ever account

Your affectionate servant,

June 29, 1649. J. Holland.

31. Mr. Lemmon, a member of the house, chosen by the city to be one of their aldermen, although he had left the city seventeen years since, the house left it to himself whether he would hold to be an alderman or not.

Order for money for maimed soldiers, and for the widows of slain soldiers.

An additional act passed for the sale of deans' and chapters' lands, and to remove some obstructions in the sale of them.

Upon notice that the prisoners in the Kings' Bench were in some mutiny, some horses were sent thither to suppress the insurrection: only one woman was killed by one of the prison officers, and another was hurt.

100,000*l.* went from London to the lieutenant of Ireland into Wales.

Letters from Chester that Ormond was forty thousand strong before Dublin;

Ireland. That colonel Monk, upon the enemy's approach towards Dundalk, sent to Owen Rowe Oneal, head of the natural Irish, desiring him, in pursuance of the articles between them, to draw his forces together, and to be in readiness when the enemy should draw near to them.

This was undertaken by Owen; but he sent word back that he wanted ammunition; and being come within three miles with his whole army, he sent out twelve hundred foot and two hundred horse, who received from colonel Monk twenty barrels of powder with match and bullets proportionable.

Presently after this, they had information that Inchequin was coming against them, which made them speed as fast as they could to their general; but they were overtaken and routed; five hundred killed upon the place, many prisoners taken; the rest so beaten and scattered, that few of them escaped without their death's wounds.

This news was so terrible to Owen and his army that they all rose in a panic fear, and fled into the county of Longford. This defeat was given in the view of the town of Dundalk, and Inchequin sent the news of it presently to Ormond, who thereupon sent to colonel Jones for exchange of prisoners, and sent him the news of this defeat given to Owen.

Inchequin the same evening came before Dundalk and Monk. summoned it. Colonel Monk was retreated thither, upon the assurance of all his officers and soldiers to stand by him, except one soldier, who when Monk told them that if any of them scrupled to fight in this quarrel he might depart, and should have a pass from him,

This one soldier only desired a pass, and said he could not in conscience fight in this quarrel: Monk gave him a pass according to his desire, and the rest promised to be faithful to him.

But when Inchequin came now before the town, all the 417 faithful soldiers ran away over the trenches to Inchequin, swearing deep oaths that they would not engage with Monk, who entered into confederacy with Owen Rowe, the head of the native Irish.

By this and many other passages, both in ours and other histories, we may observe the strange inconstancy, lightness, and irrational actions of the common soldiery, whom for the most part money and avoiding present danger carry beyond any other interest.

These soldiers of colonel Monk's one day swore to stand by him, the next day every one of them deserted him: money was to be had from Inchequin, none from Monk; with whom if they stayed they must fight; but if they left him they thought the danger was over.

They had all engaged under colonel Monk, and when he had demanded of them whether they would be faithful to him and stand by him, all but one said, that in conscience they could not leave him, but would stand by him.

The next day, when danger approached, then they could not in conscience stay with him, because he was confederate with the head of the native Irish rebels, Owen Rowe.

Yet the same conscience could give them leave to serve under Ormond, who commanded both the Irish rebels catholics and the English royalists against the English protestants.

Monk's soldiers having thus deserted him, the town of Dundalk was presently surrendered to Inchequin upon no other conditions but that Monk might dispose of what was his as he saw good.

That colonel Mark Trevor was there a great purchaser, and bought choice sheep for 3*l.* a score, cows for 30*l.* a score, and horses for 40*l.* a score, and so made himself up a regiment, and was made governor of the town to boot.

That this defeat of Owen was a great advantage to Ormond; that in Dundalk store of provisions was taken; that Owen was so enraged at this defeat, that he swore he would be revenged.

That there were divisions in Ormond's army between the English and the Irish, for that Ormond gave the lands so regained to the English, and put them into garrisons, but kept the Irish in the field in most hardship and danger; that many of the ministers in Dublin are suspected and suspended.

Letters from Scotland, that the levies there were much pressed on by lieutenant-general David Lesley and his party, to consist of about fourteen thousand foot and six thousand horse; and that they were in great fear of an invasion either from England or Ireland.

This was a year of great perplexity and danger as to the public affairs in the cause of the parliament. The public business stood on this foot, if the parliament had lost but one battle, all who were engaged with them had been in danger of ruin, as to their lives and fortunes; and though they gained many battles, yet their enemies still continued of power to raise fresh parties and new troubles against them.

When they were all subdued, so that not one man appeared in arms for the king, yet many appeared against the parliament; their own friends turned to be their enemies;

those who fought against the king's party joined with the parliament, and they fought together against the cavaliers.

When they were subdued, then the same soldiers fought against their own masters and fellow-soldiers, witness the agitators, Levellers, and mutineers.

Those of the army turned head against them from whom they had received their commissions to be an army, and bent their arms against those who had empowered them to bear arms; yet God was still pleased to support the parliament, at least a considerable part of them, and to carry them through all the difficulties they met with in relation to their common enemy, though great, numerous, and powerful, and in relation to particular distempers and insurrections from that of their own party.

We may from hence take notice of the vast hazard men undergo by engaging in such affairs as these were, in which the conquered were ruined, and the conquerors did thereby but create to themselves new war and troubles.

Success raised in many of them a haughtiness of mind and a roaming of imagination, every one almost of them endeavoured or expected to have his private fancy to be put in action, and to be little less than princes.

To effect something dreamed on to this purpose many wits were working; some were for one thing, some for another; all were violent in their way, and brought in to several parties and factions.

The army was divided into Levellers and disciplined soldiers; the parliament was divided into royalists and republicans; the whole nation was divided into cavaliers and parliamentarians.

The parliamentarians were again divided into presbyterians, independants, anabaptists, fifth monarchy men, and many other persuasions, and none but the most miserable of all cures for the sick state, no uniting of divisions, but by a greater calamity, by the sword.

When the king's party grew up to any strength, then those of the parliament party united together to oppose the king's; and when that work was done, then they fell at variance among themselves.

Thus we find it was by the precedent story, and thus we shall find it to continue, if God give me life and opportunity

to continue this story; and this may be a sufficient argument that there is neither safety nor discretion for any who can avoid it to engage in matters of this nature.

We who were engaged in those before mentioned were unexperienced in these things, and in the consequences of them slipped into them by degrees, and before many of us were aware of them, and being once in, were by little and little plunged further in, and knew not how to get out again;

But those that have the examples and the warnings of the age preceding, and have in part known and heard their fathers relate the deep miseries and calamities of the civil war in their days and to both parties, will be inexcusable if ever they engage in such affairs; and may they never see again those sad days which have been in those times whereof we read before!

August 1649.

1. Debate touching accounts, and the assessment of 90,000*l.* per mensem continued three months.

Letters that colonel Reynolds, colonel Venables, and their regiments were landed at Dublin.

Letters from France that the prince of Wales was still there, and that the lord Cottington and sir Edward Hyde came to him from Brussels with a present of 20,000 crowns from the archduke Leopold.

418 Scotland. From Scotland, that they are listing fourteen hundred auxiliaries, and that their forces are six thousand horse and foot; some of them quartered on the English borders that have demanded their cannon at Berwick and Carlisle:

That they are troubled they can have nothing from their king but according to the council of the queen-mother and those with her, who are all for the Irish interest and the catholics:

And that they are about a declaration to receive all to mercy upon their repentance and taking the covenant, except a few only.

2. Order to refrain private business for eight days.

Debate touching the accounts of the Irish officers, and stating of their pay.

Debate touching excluding all from offices who shall not subscribe to the present government.

Letters from Ireland that since the landing of colonel

Reynolds and the other regiments, Ormond drew off his army further from Dublin, and that Trym held out still for the parliament.

3. An act passed to enable the committee of indemnity to receive information and articles against any justice of peace, magistrate, or other officer, touching their malignity, &c., and to cause witnesses to be examined thereupon in the country, and to proceed to sentence against them. Acts.

Referred to a committee to bring in an act to take down and rase out the arms of the late king in all churches, chapels, and other public places throughout the commonwealth.

Order for allowing 1300*l.* to a member of the house, to be doubled upon the purchase of deans' and chapters' lands.

Referred to a committee to consider of the obstructions in the sale of the king's goods.

Another member readmitted.

A letter from Hamburgh, of wrongs as to their shipping, referred to the committee of the navy. And referred to the council of state to write to the governor of the states of Hamburgh touching some complaints of English merchants against them.

4. Debate of an act for admitting the six counties of North Wales to a composition for a sum in gross.

Debate of an act touching probate of wills, administrations, marriages, divorces, &c.

Debate of an act for settling tithes upon such ministers as shall own the present authority.

6. Debate of an ordinance touching ministers, public worship, and government, by way of a declaration; the house passed the preamble declaring their resolutions for propagation of the gospel, the establishing presbyterial government, and the ministers to have sufficient maintenance; and upon the question whether tithes should be continued, it passed in the negative. Debates.

Letters that captain Norwood, one of those who landed last at Dublin, sallied out of the town with a troop of eighty and some additional horse upon sir Thomas Armstrong, who came with part of four regiments to drive away the cattle of the town. Ireland.

That Norwood repulsed Armstrong, killed thirty of his men, and took some prisoners, and lost but four men.

That Trym-castle was surrendered to Ormond or Inchequin by the treachery of captain Martin.

An act passed giving power to the committee of indemnity to transmit the examination against malignant magistrates, officers, or justices of the peace.

An act passed for settling the new commissioners of the customs.

Scots declaration.

The declaration of the general assembly of Scotland against those that engaged in the late unlawful war against England; and such as persevere in the like designs to be excommunicated, and further punished; and such as repent, &c., to be received to mercy.

Letters from Newcastle that there were condemned by the judges twenty-nine moss-troopers, Scots, that robbed upon the borders, and other felons.

7. Debate upon the declaration touching ministers and church discipline, referred to a committee to consider of the debate of the house, and to bring it in again with the amendments with respect to tender consciences.

Letters of the taking of Trym-castle, and that three hundred in it went to the enemy, who afterwards took also a strong house near it belonging to sir Adam Loftus.

Letters that part of colonel Horton's regiment refused to go with the lieutenant for Ireland, and disbanded themselves.

That major Bethel and other officers refused to go; that about Chester they feared the malignants rising again.

Letters from Hamburgh, that one Mr. Harrington, an English merchant, came thither, and designed to trepan Mr. Crispe, and other English merchants there, and got on board a ship provided for that purpose, to carry them over into England; but by the contrary winds, the ship being wind-bound, the rest of the English merchants overtook the ship and rescued their friends.

8. An act passed for taking of the customs' and navy accounts.

Debate upon the act for poor prisoners recommitted as to prisoners and creditors; and the committee to receive any offers from the judges, or any others for the good of the commonwealth therein.

Poor prisoners.

Instructions to the committee for bringing in the form of

a commission to pass the great seal for relief of those that lie in prison for debt, and have nothing to pay, but are like to starve for want of maintenance.

Letters that a woman came out of Cleveland to York, and there preached several times, and was much admired by some ladies and other persons of quality who heard her; but the ministers were very angry with her.

I came with my company from the manor lodge in Windsor great park to London; I attended the parliament and the council of state, and the business of the great seal; labour enough for one man.

9. Debate of an act for suppressing false and scandalous letters, informations, &c., committed.

Another for suppressing scandalous and unlicensed pamphlets, and for regulating the press.

Upon the motion of colonel Martin, ordered, that the regalia of the crown be delivered up to the trustees for sale of the king's goods, to raise money for the service of Ireland.

10. The act passed for admitting the delinquents of North Wales to composition for a certain fine.

Letters from Milford Haven from the lieutenant of Ireland, giving the house an account of his proceedings, and the readiness of his forces.

Upon a report from the council of state, and letters to them 419
from the lieutenant of Ireland, concerning major-general Monk's making a peace with Owen Roe Oneal, which the council disapproved, and reported to the house to know their pleasure therein.

Major-general Monk was called into the house, and asked several questions by their order, which he answered at the bar of the house touching that business. After a long debate of it, the house upon the question passed this vote, that they did disapprove of what major-general Monk had done in concluding a peace with the grand and bloody Irish rebel Owen Rowe Oneal, and did abhor the having any thing to do with him therein; Monk questioned. Vote.

Yet are verily persuaded that the making the same by the said major-general Monk was in his judgment for the most advantage of the English interest in that nation; and that he shall not be further questioned for the same for the time to come.

Order that the report of the council of state, the questions demanded of major-general Monk, with his answers and the votes of the house thereupon, be printed and published.

Major-general Monk was much discontented at the proceeding in this business in relation to him, especially at some passages highly reflecting upon his honour and fidelity.

And it was the opinion of divers, either not at all to have questioned this business, or having once questioned it, not to have employed him any more in their service.

But the major part carried it thus, to beat him, and afterwards to stroke him, which some did think was never forgotten by him.

11. The house sat not.

Dublin. Letters from Dublin to the house and to the council of state, that the first of August the enemy began his approaches near to the town, that Ormond, Preston, and the chief of their army, were that night at a work begun eastward of the city upon the sea, to hinder the landing of the forces and supplies expected from England, and had cut off much of their water and forage.

That the second of August colonel Jones, Reynolds, and the rest with him, discovered a party of the enemy drawn to their new work, about fifteen hundred foot, besides horse: they thought fit speedily to remove them, and advanced towards them with the greater strength, twelve hundred horse and four thousand foot, because they were within a mile of the camp, from whence they might have what supplies and addition of force they pleased.

Ormond routed. That the parliament party soon entered the enemy's new work, yet not without a strong dispute; and most of Ormond's foot there were slain and taken, their horse having deserted them after the first charge.

That Jones and his party pursuing their advantage, became at last engaged with Ormond's whole army, which after two hours' fight they totally routed. That they slew on the place and in the chase four thousand, and took two thousand five hundred and seventeen prisoners, most of them Inchequin's English and runaways. That they got one whole cannon, three demi-cannons, one long gun carrying a ball of twelve pounds, one sakerdrake, and one mortar piece, all of

them of brass, some train carriages, and about two hundred draught oxen for the train.

That the strength of the enemy was since acknowledged to be nineteen thousand. That Ormond narrowly escaped.

That of the parliament's party there were not twenty missing, but many wounded; the greatest loss fell on the horse, wherein Jones's regiment did much suffer, which he desired might be considered.

That Jones intended not to have engaged so far, nor did Ormond expect it, but would have declined it, reserving themselves for the coming up of Clanricard with three thousand Connaught forces, and of the laird of Ardes with seven thousand Scots, all ready for marching, and of Inchequin, with two more regiments from Munster.

That there never was any day in Ireland like this, to the confusion of the Irish, and raising up the spirits of the English, and restoring their interest, which from their first footing in Ireland was never in so low a condition as at that time, there not being any one considerable landingplace left for them, but Dublin only, and that almost lost.

Captain Otway, who brought this intelligence to the council, and did gallant service in the action, did bring other letters to the same purpose, and which did further relate, that Ormond was at tables in his quarters when the first news came of the beating up of his guard, and answered the messenger, he wished the rebels would come, that they might have some sport with them, and so went on in his game.

But a second messenger bringing news of the routing of his party, he left his play, and got two or three regiments to engage, but they being defeated he and the rest fled.

That colonel Reynolds after he had taken Ormond's brother threatened to pistol him if he would not show him Ormond, which he did at a distance, with about seven horse in company.

That colonel Reynolds and captain Otway pursued them, and came so near as to charge them, and brought one of them, a Frenchman, off with them, but the rest, with the marquis, being well horsed, escaped.

That the plunder of the field was so rich, that the camp was like a fair; cloth, silk, and all manner of clothes to be

sold; and at Dublin, the officers did not know their own soldiers, they were become so gallant; they had good store of wine, which they drank in their hats, knocking out the heads of the vessels.

That they took Ormond's cabinet, with his letters and papers of concernment, and divers prisoners of quality, besides six lieutenant-colonels, eight majors, forty-one captains, fifty-eight lieutenants, forty-two ensigns, and a great number of other officers, and two thousand one hundred common soldiers.

That the enemy at their marching off had quit several garrisons; that a day of thanksgiving was appointed at Dublin for this victory; after which, colonel Jones and the rest intended to march out again.

13. The house did not sit.

Scotland. Letters from Scotland, that the general assembly there had published a remonstrance or declaration of the grounds of their late proceedings, and of their intentions for maintenance of the government, settling church discipline, and keeping good correspondence with England, &c.

Monk. Much labour was by major-general Monk's friends for the clearing him from the reflection upon him by his cessation with Owen Roe Oneal, for which end they caused the articles of that cessation to be printed and published, together with the reasons which induced major-general Monk to make that cessation:

Yet all would not serve, but it stuck with many to his prejudice, who both suspected colonel Monk's fidelity, and sharply inveighed against any peace made by those of the parliament's party with the bloody and execrable Irish rebels.

14. Upon reading the letters from Dublin in the house, they ordered a day of public thanksgiving for that great victory.

That an act be brought in for settling 1000*l.* per annum land upon lieutenant-general Jones and his heirs; that thanks be sent to him and the rest for that good service.

Jones. That the council of state prepare the letter of thanks to be signed by the speaker, and do take into consideration the request of lieutenant-general Jones for continuing sir George Askue vice-admiral of the Irish seas.

That it be referred to the trustees for sale of the king's

goods, to choose six of the best horses in Tilbury race for lieutenant-general Jones, as a gratuity from the house.

That 200*l.* be given to captain Otway who brought the letters.

The petitions of the brewers referred to the committee of excise, and they to bring in a new model for the excise.

The act passed for the more speedy collecting of the excise.

Order for some pensions to be continued to soldiers' wives;

And for some scandalous pamphlets, and their authors to be examined and punished, and that Mr. Caughton, a London minister now in prison, be discharged.

Letters from Chester that Ormond was rallied to twelve thousand men, and had taken in some forts.

Letters from Cardiffe, that divers of the lieutenant of Ireland's soldiers went away from him.

That colonel Cook's regiment was in a great mutiny at Minehead, and many of them went away, but the captain appeased the mutiny, and forced his men on shipboard.

15. A petition of the earl and countess of Thommond, touching a debt from the earl of Peterborough, referred to a committee.

An act passed for settling 2000*l.* per annum upon the lord president Bradshaw, another for 1000*l.* per annum upon colonel Martin out of Eynsham.

Another for 2000*l.* per annum upon major-general Skippon.

The act published for the composition of the delinquents of North Wales for 24,000*l.*

Letters from Ireland, that the parliament having sent some corn and two hundred soldiers to Londonderry, and two of sir Charles Coot's brothers being come to him with seven hundred horse, he sallied out of the town, and scoured the country for seven miles on all sides of the city, took many cows and prisoners, and killed all whom he found in arms, then returned to Derry.

16. A petition from the general and his council of officers to the house, praying first, Petition.

1. That all penal statutes formerly made, and late ordinances, whereby many conscientious people are molested, and the propagation of the gospel hindered, may be removed.

2. That it is not their meaning, that the liberty desired by them

should extend to the toleration of popery, prelacy, the Book of Common Prayer, public scorn and contempt of God and his word.

But desire that all open acts of profaneness or drunkenness, swearing, uncleanness, and the like, be vigorously proceeded against and punished in all persons whatsoever.

3. That upon the sense of the late great mercy in Ireland, they would extend favour to those in restraint who have formerly served them and this nation against the common enemy, and for the future all disturbers of the public peace to be vigorously proceeded against.

4. That speedy consideration may be had of the great oppressions, by reason of the multiplicity of unnecessary laws, with their intricacies and delays, which tend to the profit of some particular men, but much to the expense and damage of the whole.

Answer. Colonel Goffe and Pride, and other officers who presented this petition, were called in to the bar, and the speaker by command of the house gave them thanks for their constant good affections, and in particular for this petition;

Acquainting them that the house had the things desired already under consideration, and that this petition should hasten the granting the same with all possible speed and convenience.

Votes. Then it was voted, that all penal statutes and ordinances, whereby many conscientious people are much molested and the propagation of the gospel hindered, may be removed, and referred to the committee for bringing in an act for ease of tender consciences, to bring in the act according to this debate.

And referred it to a committee, who are to bring in an act of pardon, to comprise herein the three proposals of this petition.

And referred to the committee concerning the laws of the land, to consider of the fourth proposal of this petition.

The act passed for paying 3500*l.* to the widow of Mr. Blackstone, a member of the house.

An order for Mr. Hall, attorney of the duchy, to have the privilege to plead within the bar.

The like order was made for Mr. Steele, and also to be freed from his reading.

Order that Mr. Stevens, a member of the house and a common lawyer, be made judge of the admiralty; for which place he was not very fit.

A declaration and narrative passed of the grounds and reasons for setting apart a day of public thanksgiving.

17. Debate of the act for payment of the arrears of colonel Thornhaugh deceased.

Order for the sergeants' men to disperse the copies of the act for the thanksgiving day, and referred to the council of state to consider how the house may be eased of this trouble for the future, and to give order for the dispersing of papers upon the like occasions.

The accounts of colonel Willoughby referred to be audited.

A petition of mariners referred to a committee.

An act passed for settling 1000*l.* per annum upon lieutenant-general Jones.

Order for an act to settle 500*l.* per annum, out of the Irish rebels' lands, upon sir Charles Coot. Sir Charles Coot.

An act passed for the payment of the arrears to the English officers in Ireland, for their former services in England.

The house adjourned for three days.

18. Letters of confirmation of raising the siege before Londonderry by sir Charles Coot's brother, in which service many of the enemy were taken prisoners, and divers slain.

Letters from Chester, that colonel Jones was again gone out of Dublin to besiege Drogheda, that Ormond had dismounted most of the Irish for not fighting, and had turned all the English out of Trym-castle. 421

That the lord-lieutenant of Ireland was embarked with his army.

The house being adjourned, Mr. Speaker, my brother commissioner Keeble, Mr. Chute, Mr. Adams, Mr. Steele, and I, by appointment, met in the morning at Mr. Attorney General's house, where we conferred together about the making new rules for reformation of the proceedings in chancery, and agreed upon some general points, which we referred to some of the company to draw up into form. Chancery.

Mr. Attorney, as was usual with him, gave us great entertainment at dinner; and in the evening I went to bed to Sion-house, which the earl of Northumberland freely lent me.

20. Letters to the council of state of the embarking of the lieutenant of Ireland on Monday last, and of commissioner-general Ireton on the Wednesday after, with a great fleet, Irish letters.

that nevertheless they left three regiments behind for want of shipping.

That the English ships were very forward for the voyage, and so were the Flemish bottoms when their money was punctually paid them.

That no provision was wanting for the transportation of this army; and there is a considerable stock of money, with plenty of ammunition; that the soldiers, whilst they were on shore, behaved themselves very civilly, and paid for what they took, and any that were debauched were severely punished; that there was much seeking of God by prayer for a blessing on them.

Letters, that the cavaliers endeavoured to raise differences betwixt the two nations, but since the news of the late defeat in Ireland they are very still.

Morrice and Blackstone.

Letters from York, that one Morrice and one Blackston were arraigned before baron Thorp and judge Puleston for levying war against the kingdom; they pleaded *Not guilty*, but desired, as they were martial men, that they might be tried by martial law, which was denied to them.

Morrice at last said, he would be tried by God and the country, and seventeen witnesses proved foul crimes against him. He had two sheets of paper written with matters of law and statutes, many of which he pleaded, and urged the case of the war betwixt the two houses of York and Lancaster, the difference of which from his case was showed by the judges.

Then he produced a commission from the king when he was prince: the judges told him that the prince was a subject as well as he, and must be tried by the same law.

He was found guilty of treason, and manacled with irons, at which he said, *What, a martial man ironed! the like precedent was never before known.*

He desired to have a strong guard, saying, *Let me be damned if I escape;* but it was denied, so was a copy of his indictment, and to have council, or to be exchanged.

He and Blackston were both condemned.

Letters from Chester, that lieutenant-general Jones, having put Dublin into a good posture, was marched forth with one thousand horse and three thousand foot, and sat down before

Tredah; that Ormond executed many for runaways; that the markets are full again at Dublin.

Letters from Paris, that prince Charles received an account from Ormond of this defeat given him by Jones, and blamed Inchequin's horse and others that betrayed him, and ran away; and Inchequin, by his letters to the prince, complained against Ormond for fighting when he was gone from him with two thousand horse; that Ormond dissuaded the prince from coming into Ireland.

21. The house sat, and received letters from the lieutenant of Ireland of his then being setting sail for Ireland, and offering to their consideration the removal of penal statutes that enforce the consciences of honest conscientious men. Tender consciences.

The house ordered the committees to make their reports touching the ease of tender consciences.

And an act to be brought in for commissioners to be chosen in all countries, to make choice of fit and able men to be made ministers, that cannot conform to the present ordinance for ordination of persons to preach.

Orders about moneys for the maimed soldiers, and about disbursements for disbanding soldiers.

The house was acquainted with divers papers taken in a Frenchman's trunk at Rye, discovering a popish design to be set on foot in England, with commissions from the bishop of Chalcedon, by authority of the church of Rome, to popish priests and others, for settling the discipline of the Romish church in England and Scotland.

Referred to Mr. Attorney-General to make a further examination of this business, and report it to the house.

Some sent to seize books of lieutenant-colonel Lilburne, newly printed, were persuaded by him to look to their own liberties, and let the books alone. Lilburne.

Letters, that the lieutenant of Ireland was safely landed at Dublin, and all his men with him, in about forty ships.

That commissary-general Ireton, with about sixty ships more full of men, arms, and provisions, were, with a good wind, sailing for Munster.

22. Petitions of the miners of Derbyshire and of the earl of Rutland, referred to a committee.

Petition of the city of London, for more houses to set the poor on work, referred to a committee.

The arrest of a member of the house (not one that sat) was referred to be examined by a committee.

An act passed touching plantations about Florida, near Virginia.

Complaints. Letters of great complaints of the taxes in Lancashire, and that the meaner sort threaten to leave their habitations, and their wives and children to be maintained by the gentry; that they can no longer bear the oppression to have the bread taken out of the mouths of their wives and children by taxes, and that if an army of the Turks come to relieve them they will join with them.

Reasons against the arresting of men's persons were presented to the members of parliament.

I sent out my keepers into Windsor forest to harbour a stag to be hunted to-morrow morning, but I persuaded colonel Ludlow that it would be hard to show him any sport, the best stags being all destroyed; but he was very earnest to have some sport, and I thought not fit to deny him.

23. The arrears of the fee-farm rents of Carlisle remitted by the house.

French trade. The king of France had prohibited all trade with England: the English merchants took this as a breach of the league, and thereupon addressed themselves by petition to the council
422 of state, desiring them to report this matter to the house.

Votes. The council reported the whole matter to the house, who, upon long debate thereof, voted that no wines, wool, or silk, of the growth of France, and usually vended in this nation, shall from thenceforth be imported into any port thereof, or vended here, upon forfeiture of the goods and ship that shall import them.

Upon the question whether linen cloth should be likewise prohibited, it was resolved in the negative, in regard of the general and necessary use thereof; and they referred it to the council of state to bring in an act contrary to these votes.

Lieutenant of Ireland. Letters, that when the lieutenant of Ireland landed at Dublin he was most heroically entertained with the resounding echo of the great guns round about the city, and great concourse of people to see him, to whom he made a very grateful speech with his hat in his hand, and there was a great cry that they would all live and die with him.

That the next day after the raising of the siege of Londonderry, sir Charles Coot summoned the garrison, that was near to it, in the possession of the enemy; and that within two days the new fort, Slogh-castle, and other forts, were delivered up to him, with the ammunition and artillery, all upon quarter.

My keepers did harbour a stag. Colonel Ludlow, Mr. Oldesworth, Mr. Thomas, and other gentlemen, met me by daybreak. It was a young stag, but very lusty, and in good case. The first ring which the stag had led the gallants was above twenty miles.

24. Order for 20*l.* for the burial of Mr. Powel, a reduced officer.

A letter from sir Charles Coot to the house, that Charles Coot his brother had concluded a peace with major-general Row O'Neal; and his reasons for the doing of it were for preservation of the garrison of Londonderry and the English interest in those parts. Ireland.

After reading of the articles, and a long debate, ordered, that a copy of a declaration of the house, upon major-general Monk's joining with Owen Roe O'Neal, should be forthwith sent to sir Charles Coot; and, in vindication of his honour, they voted, that they approved of the fidelity, care, and vigilancy of sir Charles Coot in preserving the English interest in Ireland, and holding out Londonderry against the Scots. Sir Tho. Coot.

They referred it to the council of state to take care for the sending of these votes to sir Charles Coot, and for relieving him with provisions and ammunition.

Order for 100*l.* to Mr. King, who brought the letters from sir Charles Coot, for his good services.

Referred to the council of state to examine the business of captain Kesar, mentioned in sir Charles Coot's letter, and to send for and secure him if they find cause.

25. By vote the house declared, that all such English and Scots, and all others, that have engaged for the parliament of England in the nation of Scotland, and have revolted from that service, and all such as have or shall adhere unto or join with Charles Stuart (eldest son of the late king) in that nation, are traitors, and shall have their estates confiscated, and their persons proceeded against by martial law. Vote.

Order for these votes to be printed and published, and a copy of them to be sent to the lord lieutenant of Ireland.

Order to forbid proceedings in the composition of the earl of Derby, because he holds the Isle of Man against the parliament.

Speaker taxed.

By two printed papers, and three letters to the committee of the army for discovery of criminal offenders, Mr. Speaker was taxed for an ill member, and that he had conveyed a great sum of money to the king, and matters of falsehoods and breach of trust are charged on him.

Army.

Upon the order of the general, the officers of the army certified under their hands, that they never examined any matter touching the speaker, nor had any order from his excellency for that purpose to authorize it:

That they find the same business had been judicially heard before a committee of parliament, and by them reported to the house, who declared those complaints raised and prosecuted false, malicious, and scandalous against the speaker, and that exemplary punishment be inflicted upon the prosecutors.

The officers of the army conclude their certificates, that they humbly conceive the said information, raised and promoted since the judgment of the house as aforesaid, was a practice to bring an odium upon the speaker, who hath so highly merited from the public.

An advertisement published, that if any countryman be injured by the soldiers taking of free quarter contrary to the act, that upon complaint to the judge advocate of the army, and proof thereof made, he shall have satisfaction out of the pay of the soldier, and protection from the army.

27. The house sat not.

Letters from Dublin to the council of state of some correspondence betwixt the governor of Tredah and lieutenant-general Jones, and that Ormond came thither with fifteen hundred horse and two thousand foot; that Owen Roe O'Neal, conceiving that he had merited from the parliament, desired a convoy for his men to serve the Spaniard, but nothing was granted.

Letters, that the Scots army was full of malignants, and the nation full of fears; that nothing will give satisfaction

there but the king's putting malignants from him, and granting the particulars of the covenant.

Letters from Mr. Peters to the council, giving them an account of the fleet's setting sail for Ireland, &c.

Lieutenant-colonel Morrice, governor of Pontefract-castle for the king, was executed.

Letters, that five men of war, wearing the Scots colours, set upon five ships of the parliament's, killed four of their men, wounded eighteen, and did much prejudice to the ships.

The governors of the new corporation in London for setting the poor to work sent their warrants, requiring the churchwardens and overseers of the poor in every parish to return the names to them of all such as are able to work, and have not means to maintain themselves, and of all who are not able to work, and want livelihood. Poor.

28. Order for such as neglect to take out discharges upon their compositions for delinquency to be taken into custody.

The act passed prohibiting the importing of any wines, wool, or silk from France into England or Ireland.

An act passed for admitting the purchasers of bishops' lands to pay the whole purchase money by Weavers'-hall bills.

Another act passed touching the second 40,000*l.* charged on the excise and Goldsmiths'-hall.

29. The public thanksgiving-day solemnized. 423

The lord-lieutenant of Ireland, shortly after his landing at Dublin, published a proclamation, reciting the great mercies of God to that city, particularly in the late defeat given to the rebels, who encompassed it round about, and finding that, notwithstanding the goodness of God to them, yet by profane swearing, cursing, and drunkenness, his holy name is daily dishonoured and blasphemed, contrary to the laws of God and the known laws of that land, and to the articles of war; Proclamation.

He commands the mayor and magistrates of the city, and the officers of the army, to put in due execution the laws against such offenders, and that he will punish the neglect and contempt of this proclamation with the severest punishment of the law.

30. The act for relief of prisoners for debt was, after a long debate and difference in opinion, ordered upon the question to be engrossed.

Debate touching fees and salaries of the officers belonging to the house.

The arrears of sir Adam Loftus referred to the committee for Irish affairs.

Letters from Holland, that the prince's men run away from him for want of money, that two Irish frigates brought into Dunkirk six Hull ships for prizes.

Letters from Dublin, that the English fleet, which came thither with the lord-lieutenant, strikes a great terror into the enemy; that trumpets came to Jones from Ormond, Inchequin, and others, but he sent them back with this answer, *that now all addresses must be made to the lord-lieutenant Cromwell.*

French commodities forbidden.

31. Order that sergeant Dandey, sergeant-at-arms to the council, do proclaim the act for prohibiting the importation of wines, wool, and silks from France.

Debate touching Mr. Warner's case.

An act passed touching the West-India islands, and making them subordinate to the government of England.

Order for an act to prohibit the brewing of ale or beer above 10*s.* the barrel.

Report by the council of a letter from the lieutenant of Ireland, giving an account of his condition after his safe arrival, and laying open his necessities for supplies and speedy recruits. Referred to the council of state to consider of the letter and desires of the lord-lieutenant, and to answer his expectations so far forth as it may not increase the charge of this commonwealth.

Order for payment of the 200*l.* formerly given to captain Poulton.

Colonel Fielder.

Order for 1200*l.* for colonel Fielder, late governor of Portsmouth, for his service there, and 1148*l.* for his arrears, out of concealed delinquents' estates, to be discovered by him.

Sir K. Digby.

Upon a report from the council of their opinion that sir Kenelm Digby is a dangerous person, and to know the pleasure of the house concerning him, they voted, that he was not within the compass of the votes for compounding for his delinquency;

And that he be enjoined to depart the commonwealth within twenty days, and not to return without leave of the house under pain of death and confiscation of his estate.

They also voted that Mr. Walter Montague shall depart this nation within ten days, and not to return without leave of the house, upon pain of death and confiscation of his estate, and that this vote be sent to him. Walter Montague.

Ordered that the commissions formerly granted by the king and his privy council to Mr. Mayo and others, for apprehending of convicted recusants, be renewed.

The house declared, that if any after the publishing of these votes shall harbour or conceal the bodies of sir Kenelm Digby or Mr. Montague, their estates shall be sequestered.

Order for these votes to be printed, and proclaimed in the city.

Referred to the council of state to take care for the apprehending of sir John Winter, he having stayed beyond the time formerly granted to him.

This being Friday, the house adjourned till next Tuesday.

September 1649.

1. This day the house did not sit.

Letters of some of the trained horse and a regiment of foot designed for Ireland, yet behind; and shipping expected for them.

Letters of a ship in Weymouth harbour that by the late fierce thunder and lightning there, had her mainmast rent from the top to the bottom in forty pieces, and the mizzenmast quite hurried out of its place, and so broken, that if she had been at sea it would have sunk her.

3. Letters giving an account of the parliament's ships before Kingsale, and proposals for a winter guard, and that prince Rupert hanged ten of his men for offering to go away from him.

Letters that in Scotland they are framing new letters to be sent to their king, putting him in mind of the covenant; but for his parting with malignants, a few will serve their turn, and if he satisfy the kirk, he then becomes a godly man. That those of their party are faithful, and none other. That they put no difference betwixt malignants and sectaries. Scots letters.

That if the king employ excommunicated Montrose, he will be left to himself. That they see it will be impossible to govern these wilder parts of Britain without the name and authority of a king.

That more and more witches were condemned to the fire:

two that day, eleven the next day, and twenty-five burnt before.

Letters from Chester, that Ireton was designed for Munster, but after ten days lying at sea he was fain to put in at Dublin. That Ormond cleared Tredah of all superfluous persons, and made it as strong as he could. That the buff coats were in the pulpits of Dublin.

An act passed, prohibiting the bringing of hats or hatbands from beyond seas.

An act passed for all officers to take the oath to be true and faithful to the commonwealth of England without king or lords.

One Sumner, for counterfeiting the hand and seal of the general, and cozening the people thereby, was committed to the marshal gaol, to be tried for it by a council of war.

4. Order to renew a lease for forty years of deans' lands, for relief of twenty poor people in Lincoln.

Poor prisoners. The act passed for discharging poor prisoners for debt, who are unable to satisfy their creditors.

Letters from St. Germain's, that there were great consultations what course should be taken by the prince of Wales.

Letters that four men of war, Ostenders, took four coal
424 ships, and sunk three of them, gave the fourth to forty poor mariners to carry them home into England, having taken from them all they had.

Letters from Ostend, that there were great endeavours to draw in assistance for prince Charles, pretending that Ormond was possessed of Dublin, and with a very great army was preparing for England, and that the prince was going over to take possession of Ireland.

That there was a proclamation reciting that by the mariners there going to the king of Scotland, in hopes of profit, the king of Spain's navy wanted men, and therefore commands that upon pain of death no Fleming or Spaniard do serve in the ships of the king of England.

5. Debate of a new oath and engagement to the present government.

A proclamation from the general, forbidding the soldiers to have hounds or greyhounds, or to kill deer or conies in any chases, parks, or warrens.

I received this letter from Mr. Sergeant Widdrington :

To the right honourable the lord Whitelocke, one of the lords commissioners for the great seal of England, these presents.

My Lord,

I am now in my return from Berwick, from whence I hoped I might have been able to have furnished you with some Scottish news, by way of return for the good news of Ireland, which you were pleased to impart unto me by your letter. I humbly thank you both for the letter and the news, and must remain your debtor for both, and for many other things besides. It is not credible that Berwick should stand on Scottish ground, and participate so little of the novelties of that nation. You hear more of Scotland in London than we do at Berwick. The things we hear of that nation in this place first go to London without discovery by us, and are trimmed and dressed there by an intelligencer or diurnal man, and then we receive them in loose sheets, after they have travelled above five hundred miles. I met at Berwick with a discovery of witches, by a Scotchman, who professeth himself an artist that way. I know not whence he derives his skill: his salary was 20*s.* for every witch: he got 30*l.* after that rate. These thirty silly women whom he avows to be witches, upon their examination, some of them confess themselves to be so, but with no harm to any body. Two or three of them say they were at Preston battle, and made many a Scot fall that day. I will trouble you no further with this relation for the present. All these women are committed to prison. I shall, I hope, be able to wait on you about Michaelmas. I present my service to your lordship, and to my other lords commissioners of the great seal. I shall ever remain,

My lord,
your lordship's humble servant,
THOMAS WIDDRINGTON.

6. Order for Mr. Hallowes to have his lease renewed of lands which he held of the duke of Bucks.

Order giving more time to double upon the purchase of deans' and chapters' lands.

Order touching compositions.

Sir John Winter disclaimed the pope and all foreign power, and put himself upon the mercy of the parliament. Sir J. Winter.

Letters that the lieutenant of Ireland mustered seventeen regiments of foot and five thousand horse, in all fifteen thousand.

Eighteen soldiers brought prisoners for stealing deer in Surrey.

The act passed for oaths to mayors, justices of peace, and other officers in this form:

Oath. You shall swear that you shall be true and faithful to the commonwealth of England, as it is now established, without a king or house of lords. You shall well and truly execute the office of a mayor, &c.

Divers compositions of delinquents passed.

Letters that colonel Popham lost a vessel, overset with the foul weather.

Mr. Love was before the committee of plundered ministers, but the charge against him not proved.

Letters that the lieutenant of Ireland was marched forth out of Dublin.

Soldiers appointed to be tried by a court martial for killing of deer.

Two soldiers sentenced by a court martial, one to ride the wooden-horse with eight muskets at his heels, and the other to run the gantelope, for robbing an orchard and affronting an officer of the army.

Petitions of maimed soldiers for money.

Another of reduced officers and soldiers for their arrears, referred to a committee.

Levellers. 7. Several gentlemen of the house and of the army, and others, met with some of those called Levellers, to confer together, and endeavour a right understanding and agreement between all interests.

And for the better effecting thereof, it was moved that Walwyn, Prince, and Overton, close prisoners in the Tower, might have the liberty of the Tower. Which the council thought fit, and upon their reports to the house it was assented unto.

A petition of the garrison of Plymouth referred to a committee.

Allowed to the earl of Denbigh 1700*l.* for his charges due to him when he was ambassador in Italy.

Order for an act for 7000*l.* for the town of Taunton, out of sir John Stowell's estate, and another delinquent's.

The house adjourned.

8. Letters of some disorder in the garrison of Oxford, fomented by the Levellers and cavaliers. The soldiers proposed to have a new representative, and this to be dissolved;

to have agitators, to maintain the engagement at Triploheath, &c.

Intercepted letters to the lord Cottington, advising the king to a seeming compliance with the Levellers, as the likeliest way to do his work; that they have caused the speaker to be accused by some discontented prisoners, and that the best service the king's friends do him is to set on the Levellers. Intercepted letters.

Colonel Thomlinson and colonel Ingolesby sent to Oxon to quiet the distractions there.

Letters from Dublin that the lieutenant was marched with ten thousand horse and foot towards Tredah, to find out Ormond, who, with the lord of Ardes, was very numerous: but many English came from them to the lieutenant, and such as Ormond took going from him were presently executed.

One Mr. Williams sent to prison for reading the Common-Prayer publicly.

10. The council ordered both the general's regiments and Okey's dragoons, and some other regiments commanded by major-general Lambert, to march to Oxford, to quiet the distempers there. 425

Letters from Dublin, that the lieutenant with about twelve thousand horse and foot, was come near Tredah, which Ormond had victualled for six months, and fortified, and put in it two thousand Irish foot and two hundred horse, and made sir Arthur Ashton, formerly governor of Reading for the king, governor of this place.

That the lieutenant ordered ships to stop provisions from the town, and to furnish the besiegers; that he sent one thousand foot by sea to sir Charles Coot, and ordered five hundred horse to march by land to him.

An intercepted letter from prince Rupert from Kingsale to Ormond of the wants of the fleets, with proposal for provisions.

11. The imposition of four shillings per chaldron upon coals taken off, for the benefit of the poor.

Captain Wagstaffe gave an account to the house of the particular passages in the mutiny at Oxford, how they imprisoned their officers, set guards, fortified New-college, and other acts of hostility. That colonel Ingoldsby their colonel, sent to them from the parliament, was put under a guard by them, and how they chose agitators. Levellers at Oxford.

That the secured officers walking near to the guards, after two days, discoursing with the private soldiers on the guard, and some of them not well satisfied with these proceedings of their fellow soldiers, which these officers fomented, and demanded liberty to go away: some of the guards were for it, and others against it; whereupon the officers forced their way through the guards, and so passed them, and went up to their colonel Ingoldsby, and told him how the matter stood.

He with his two men came to the guards that were put upon him, and without saying much to them came through them, and commanded the soldiers to march with him, which they did, and came to the officers in the street.

One of the agitators on horseback killed a soldier who offered to stop him, and the guard which the colonel brought with him took the rest of the agitators prisoners: many soldiers came in to the colonel as he went along in the streets, and marched with him.

Then he went up to New-college, and commanded the colours, which were brought to him: he sent for a party of horse to Whately, and placed his own guards.

The soldiers generally obeyed him, and manifested great joy that they were thus disengaged.

Here we may note the inconstancy of the multitude and of the private soldiers, how soon and upon how small an occasion their minds alter, how little they are to be trusted, and how much of danger comes by actions of this nature.

Referred to the council of state to give directions to the attorney-general to proceed against the mutineers at Oxford, by a commission of oyer and terminer, for treason, and to appoint other counsel to assist him, and a solicitor, and to prepare a declaration touching this business.

Order for an addition to colonel Okey's regiment of dragoons, to make them up one thousand.

A member of the house chosen mayor of Taunton had leave to serve in that place.

An act passed for relief of felt-makers and hatband-makers against aliens importing them to the hinderance of English manufactures.

12. Instructions about the accounts of Mr. Hawkins, treasurer of Ireland.

Order to certify the accounts of colonel Rossiter.

Some delinquents sent for from Norwich.

An act passed prohibiting to brew for sale any ale or beer above 10*s.* the barrel, above the excise.

13. Recommended to the general to give his orders to his officers of horse, for securing by his horse the highways from robberies, and to apprehend the thieves.

Order for a commission to visit the university of Oxford.

The act for relief of tender consciences against the penalties of several statutes read and committed.

The troop of horse in Oxford, under captain Smith, continued for six months.

Twenty shillings per week ordered for the lady Beaumont.

Complaints from Newcastle against taxes.

Petition of major-general Mitton, and arrears and losses allowed to several persons.

The earl of Salisbury chosen a member into the house for Lyn.

Letters that the prince and duke of York were landed with three hundred men in Jersey.

Papers intercepted from Ormond to prince Rupert concerning provisions and necessaries for their fleet.

Letters that the duke of York had visited the king, queen, and cardinal of France, and was revisited by them, whom he most humbly beseeched to have compassion on the king his brother, and to give all assistance possible for the regaining of his estate and kingdom. To which the cardinal made answer, that it could not possibly be now, but that he might assure himself, and the king his brother, that when they were in a capacity to serve him, they would spare neither purse nor power; and in the mean time desired the king's brother to accept of a small present of 100,000 crowns. Cardinal Mazarine.

Letters that Ormond was but five thousand in the field, and had put the rest into garrisons. That the lord-lieutenant, finding the enemy to give ground, besieged Tredah.

That he did not pursue Ormond, judging it not safe to march too far into an enemy's country, and leave many of their garrisons behind him, especially Tredah, which was very strong, and would be of singular advantage to him, both for sea and land. The thousand foot sent to sir Charles Coot were safely landed at Derry.

Major-general Lambert, colonel Baxter, and other officers Levellers.

went to Oxford, to try the mutinous soldiers there by a court martial; those of the country who joined with them are to be tried by a commission of oyer and terminer.

14. A petition of the countess of Castle-Haven referred to a committee, who upon proof of the truth of it are to bring in an act, as the petition desires.

Sir Kenelm Digby's petition carried upon the question not to be read.

Strickland. Letters from Mr. Strickland from Holland, that the provincial states there had given him audience as a public agent from this state.

Order that Mr. Speaker write a letter to acknowledge the respect to their agent.

Order that a ship lately taken from the state, and adjudged
426 prize, should be discharged by the admiralty, and the seamen who took her to be gratified otherwise.

Order for money for such as fled out of Ireland hither, and to enable them to return into Ireland.

Order for 1000*l.* for the countess of Kent, for her damage by the demolishing of Goodrick-castle, wherein, by the desire of Mr. Selden, I did the countess some service.

Order for more carriages for the regiments gone for Ireland, and the council to bring it into the establishment.

An act passed authorizing the commissioners of the customs to impose fines and forfeitures on such as import wines, &c. from France, contrary to a late act.

15. Letters to the council that Jermyn and Piercy were imprisoned in France, for holding correspondence with the Spaniard to the disservice of the French crown.

Order for Somerset house to be the head quarters of the army.

Orders of the council for supplies of horse, saddles, pistols, &c. for the lord-lieutenant.

Irish affairs. Letters that many of Ormond's men came in to the lord-lieutenant; that sir George Askue sent provisions to Dublin, and more to the leaguer before Tredah.

17. Letters that the commanders of the rebels were in factions, and that sir Charles Coot took advantage thereof to march into their country, and took in divers small garrisons.

Letters that the lord-lieutenant had fixed his posts and

begun his batteries before Tredah; that the garrison often sallied out upon him, but were beaten back with loss.

That in the town were three thousand footsoldiers and five hundred horse, and they were victualled for five months.

That Inchequin commits great waste, as far as he dares venture, about Dublin and Tredah, by burning and driving away of their cattle, and hangs all he can meet with going in to the lord-lieutenant.

That Ormond proclaimed, whosoever should mention the covenant's subscription, or that the king should not come in, but upon conditions, should be secured, and his estate sequestered. Proclamation.

That Mr. Peters the minister was arrived at Dublin, and that at the beginning of the troubles in Ireland he led a brigade against the rebels, and came off with honour and victory, and the like was now expected from him. Mr. Peters.

That the lord-lieutenant, for satisfying of the country through which he was to march, and that they might not be terrified with fear upon his approach, set forth a declaration of his intentions, and to assure the country that none of them should be injured, behaving themselves peaceably, and bringing in their provisions, &c.

Letters that fourteen sail of English and Dutch ships were brought into Dunkirk and Ostend, laden with corn and other goods, and after the goods sold the masters were forced to buy their own ships.

That fifteen small ships, of four and six pieces of ordnance apiece, were manned out of those ports, with commissions from prince Charles to take the English ships. That the governor of Dunkirk hath the tenth part of the prizes and the prince hath the fifth part.

That one of the parliament's ships brought in a new Ostend frigate, of ten guns, a prize, and an account of the several convoys. That Montrose is with about five thousand men at Hamburgh.

That the packet boat, with the keel of a ship striking her, by a gust of wind was sunk, and the packets all lost, but the men saved.

18. For an honour to the earls of Pembroke and of Salisbury, and of the lord Howard of Escrigge, members of the house of commons, ordered that they might sit in all com- Votes.

mittees, of which they were before the lords' house was dissolved.

Allowance of 40*s.* a week to an Irish officer's widow.

Mr. Noel made sole treasurer at Weavers'-hall.

300*l.* allowed to lieutenant Goddyer for losses sustained by him, when he prevented the betraying of Tinmouth.

An act passed for trial of pirates and robbers at sea, and of revolted seamen and mariners.

An act passed for maintenance for the almsmen and free-school at Westminster; and by the kindness of sir Arthur Haslerigge and myself to Mr. Osbalston, he had his house there, and 100*l.* allowed him for life.

A letter from the Holland ambassador in behalf of three vessels loaded with wines, taken by the parliament's ships, referred to the committee of the navy.

Irish instructions.

The lord Ormond sent instructions to his officers to this effect:

1. That every man who hath submitted to his majesty's authority be put into possession of his estate, he contributing to the maintenance of the army and necessary burdens of the country.

2. That the articles of war be put in execution.

3. That no commanders in Ulster do assume to themselves the nomination of any military officer, upon pretence of any late commission, but leave them to our discretion as in this kingdom hath ever been accustomed.

4. Any that speak or act in prejudice of his majesty's affairs, let him be imprisoned and his estate secured, and information sent up to us of the nature of his crime, that we may give further order therein.

And if any ecclesiastical person in his prayer or sermon shall incite the people to sedition or disobedience, or shall intermeddle with the managery of civil affairs, or derogate from the present government, or teach that his majesty is not to be admitted to the crown till he hath given satisfaction to his subjects, or taken such oaths or covenants as are imposed on him without his consent, contrary to law, and the dictates of his own conscience;

Upon proof thereof, without further circumstances, let his estate be confiscated to the use of the army, and himself be either imprisoned or banished, or tried for his life, as the case shall require.

5. If there be any whose loyalty is suspected, let the chief in command upon the place minister to him the oath of allegiance, and if he refuse, let them secure his person and estate.

6. For enlargement of quarters.

7. Touching forces coming from other quarters into Ulster.

8. Let the siege of Derry be prosecuted by the common advice of the lord of Ardes, sir Robert Steuart, sir George Monroe, and colonel Audly Mervin.

19. Orders upon private petitions.

By sentence of major-general Lambert, colonel Okey, and the rest of the officers at the court martial at Oxford, two of the late mutinous soldiers were shot to death, a third was reprieved, and seven ran the gantelope. Levellers.

The university entertained the officers with great respect, and presented them with gloves.

That the scholars offered to assist the officers against the mutineers, and not above three of the townsmen joined in the mutiny. 427

Letters that sir Thomas Armstrong sallied out of Tredah upon the lord-lieutenant's quarters with two hundred horse, but were so entertained, that every one of them was enclosed and taken, except sir Thomas, who escaped by the goodness of his horse.

That the enemy had three thousand horse hovering about the lord-lieutenant's camp, but attempting nothing.

That thirty-five of the renegados being taken, ten of them were hanged in the camp, and the rest were sent to Dublin to be executed.

Letters that the English merchants in Muscovia were commanded by the great duke to sell all they had there, and to depart his dominions within a year, and not to come thither any more, unless in the king of England's name and by his patents. So great a dislike did he conceive against the English, and it was fully fomented by the Dutch, upon the parliament's proceeding against the late king and kingship. Duke of Russia.

20. Letters from sir Arthur Haselrigge of want of pay for his regiment, referred to the committee of the army.

Order for Mr. Genner's salary.

Upon debate of a letter from the Holland ambassador, resolved not to dispense with the late act against importation of French wines.

The act passed for the school and almshouses in Westminster, and the allowance to Mr. Lambert Osbaldstone.

Debate of the business of the miners of Derbyshire.

The act passed against revolted seamen and against pirates.

Another for suppressing scandalous and unlicensed pamphlets, and for punishing the authors, printers, and publishers of them.

Psalms. Resolved that the singing-psalms be not for the future printed with the Bible.

Levellers. Confessed by the mutineers at Oxford that they expected six or seven thousand to join with them out of Northamptonshire and those parts, six thousand out of the west, many thousands out of Kent, and the whole army to join with them, and to have these things done:

1. For agitators to be set up again at the head quarters.
2. That tithes be taken away.
3. That the laws be Englished, and another way of justice to be in the respective counties.
4. That the excise be put down.
5. That prince Charles be brought in.

That they had store of money promised them. Upon the desire of colonel Ingoldsby to the general, some of the mutineers of his regiment were pardoned, and some of the officers were cashiered who did not come in to him when he commanded them against the mutineers.

Letters from Scotland, that the parliament's successes in Ireland had caused a stop of affairs in Scotland; that all their eyes are upon Cromwell.

That the levying of their new army did not proceed hastily.

Letters from Ireland, that sir Charles Coot was marched out of Derry with fifteen hundred foot and four hundred horse, and had cleared the country fourteen miles about, and got into the city great store of provisions.

21. Order for money for poor widows and soldiers' wives.

The act passed for taking the accounts of the kingdom.

Referred to a committee to provide some accommodation for the earl of Denbigh near Derby-house, in satisfaction of his right to the wardrobe.

The house adjourned.

22. Letters from Liverpool that the lord-lieutenant had taken Tredah, and put all to the sword that were in arms

there, and that one hundred and eighty of Inchequin's men were come in to the lord-lieutenant.

Letters that divers of the levelling party were taken at Birmingham.

Twenty horse of Hind's company, the great robber, committed forty robberies about Barnet in two hours.

Divers moss-troopers taken.

Letters, but nothing certain, of the taking of Tredah.

Referred to the council of state to order the militia of the kingdom for the present till a further act of parliament be agreed upon for it; and an act ordered to be drawn up accordingly.

25. Debate touching an adjournment for certain days, and about a new representative, but nothing resolved upon it.

An act for punishing of crimes committed upon or beyond the seas ordered to be published.

26. Governors named for the school and almshouses of Westminster, the earls of Pembroke, Salisbury, and Denbigh, Mr. Prideaux, lord commissioner Whitelocke, lord commissioner Lisle, Mr. St. John, and divers others.

Letters from the lieutenant-general to the parliament giving an account of the proceedings against the mutineers at Oxford.

Order for thanks to major-general Lambert, colonel Ingoldsby, and the rest of the officers, for their good service therein.

Letters that sir Charles Coot kept the field, and not any considerable party of the enemy gave him opposition.

The church of St. Martin's in the Fields was robbed, and much plate and money taken out of it; and the church of Waltham-abbey was also broke open and robbed.

27. The declaration published concerning a happy reformation against malignants, levellers, and such as would bring in monarchy and tyranny again, and that they would have respect to tender consciences, who go according to the rule of God's word. Declaration.

Order for speedy bringing in the fines of delinquents, and for the 20,000*l.* fine upon North Wales, to be paid to the committee of the army, for the service of the army.

Referred to the council of state to appoint persons in

every county, with power to suppress insurrections and tumults.

Army humiliation. A day of humiliation kept by the officers of the army, for the atheism and profaneness which was crept into the army.

The declaration passed touching the business of Oxford, and other designs of the enemy against the present authority and of the good success in Ireland and in England, and to remit the crimes of many against the present authority, by discharging them of imprisonments, and prosecution against them, and referred to the council of state to consider who are fit to be discharged accordingly.

Letters form Mr. Peters thus:

428 Letters from Hugh Peters. Sir, the truth is, Drogheda is taken, three thousand five hundred and fifty-two of the enemy slain, and sixty-four of ours.

Colonel Castles and colonel Symonds of note.

Ashton, the governor, killed, none spared; we have also to Trym and Dundalk, and are marching to Kilkenny.

I came now from giving thanks in the great church. We have all our army well landed. I am yours,

Dublin, Sept. 15th. HUGH PETERS.

Letters that one Den a leveller, formerly condemned by a council of war at Burford to be shot to death, and afterwards pardoned, hath raised a tumult in Sturbridge against the commissioners of excise, and got together three hundred men armed with muskets, swords, &c., who fell upon captain Prescot, a commissioner in his quarters, shot him in three places, took from him and the rest of the commissioners and soldiers all their money, horses, arms, and clothes.

The general wrote to the governor of Stafford to apprehend Den, and to suppress the tumult.

28. The business of the tumult at Sturbridge by Den continued in the height of it, and they sent into the neighbouring towns to come in and join with them, and beat up drums for that purpose, but few came in to them.

29. Letters from Cromwell.

Letters from Cromwell. SIR,

It hath pleased God to bless our endeavours at Drogheda; after battery, we stormed it. The enemy were about three thousand strong in the town. They made a stout resistance, and near one thousand of our men being entered the enemy forced them out again.

But God giving a new courage to our men, they attempted again, and entered, beating the enemy from their defences. The enemy had made three retrenchments, both to the right and left where we entered, all which they were forced to quit. Being thus entered, we refused them quarter, having the day before summoned the town. I believe we put to the sword the whole number of the defendants. I do not think thirty of the whole number escaped with their lives; those that did are in safe custody for Barbadoes; since that time the enemy quitted to us Trym and Dundalk: in Trym they were in such haste that they left their guns behind them. This hath been a marvellous great mercy. The enemy being not willing to put an issue upon a field battle, had put into this garrison almost all their prime soldiers, being about three thousand horse and foot, under the command of their best officers, sir Arthur Ashton being made governor. There were some seven or eight regiments, Ormond's being one, under the command of sir Edmund Verney. I do not believe, neither do I hear, that any officer escaped with his life, save only one lieutenant, who, I hear, going to the enemy, said that he was the only man that escaped of all the garrison. The enemy were filled upon this with much terror; and truly I believe this bitterness will save much effusion of blood, through the goodness of God.

I wish that all honest hearts may give the glory of this to God alone, to whom indeed the praise of this mercy belongs, for instruments they were very inconsiderable, the work throughout.

Then he gives an account of his purpose for Wexford, and concludes:

Captain Brandly did with forty or fifty of his men very gallantly storm Tenalis, for which he deserves the thanks of the state.

Sept. 16th, 1649. O. CROMWELL.

The council of state ordered that the ministers in the several churches, to-morrow being the Lord's day, should acquaint the people. And according to the order of the council of state, the ministers of London acquainted the people with the great successes of the parliament's forces in Ireland, and returned thanks to God for the same.

October 1649.

1. More letters of the particulars of the taking of Drogheda. Drogheda.

That the breaches not being made low enough, the horse could not go on with the foot, but the foot alone stormed, and entered the town, but by reason of the numerousness and stoutness of the enemy, who maintained the breach as

gallantly as ever men did, and by the death of colonel Castle, whose regiment was one of those that stormed, (and he was slain at the storm,) our men were disheartened, and retreated. Which my lord-lieutenant seeing, went himself to the breach, and after a little time a fresh reserve of colonel Ewer's men fell on with the rest very courageously, and God abated the courage of the enemy: they fled before us till we gained the town, and they all agreed in the not giving of quarter: and other particular passages before-mentioned.

2. Letters from the lord-lieutenant of Ireland to the parliament and council of state of the success at Drogheda more particularly:

That sir Arthur Ashton the governor, and divers considerable officers, got up into the Mill Mount, a very strong fort in the town, but Cromwell's men got up to them, and put them all to the sword, having command not to spare any that were in arms in the town.

That about one hundred and forty got into a tower, and being summoned would not yield, but killed and wounded some of our men, and when they submitted their officers were knocked on the head, and every tenth man of the soldiers killed, and the rest were shipped for Barbadoes.

That these people thrust the protestants out of the great church, and set up mass there, and in this very place: one thousand of them were put to the sword flying thither for safety: their friars and priests were knocked on the head promiscuously with the others who were in arms.

The letters said further, that in sir Arthur Ashton's pocket were letters taken from Ormond to him, assuring him of relief in a short time.

Cromwell himself led on his men to the storm: the priests and friars were killed with the rest.

That Ormond and Inchequin were at variance.

The parliament ordered a day of public thanksgiving for the great successes in Ireland.

The inhabitants of Wickloe, being all Roman catholics, submitted to the lord-lieutenant, who marched with his army to the west for reducing of Munster.

Letters of more moss-troopers taken.

Scots. Letters from Scotland, that Mr. Windham was gone to their king with as inviting a message as pen could draw or people send, promising him personal protection, restora-

tion, &c., and no condition, for so much as subscribing the covenant.

Several persons apprehended at Lancaster, who raised a tumult to keep a malignant person in his benefice. 429

3. Several votes passed, and ordered to be printed, for repayment of money lent upon the public faith.

Letters from France, that prince Charles went from the court towards Caen in Normandy, and from thence intended to go for Jersey. That his train was but sixty horses, and six coaches with six horses apiece, and that many of his servants and some gentlemen went on foot.

That the prince had but three hundred pistoles left him to defray the charges of his journey.

4. A letter from the general, with a petition enclosed from the officers of the army, being the humble desires of the council of war, in prevention of the disorderly buying of debentures of the soldiers at inconsiderable rates. Referred to a select committee, with power to send for and confer with such persons as they shall think fit in order to that business. Petition.

The election of alderman Fowke to be lord mayor of London, and his being presented to the house with a speech by their recorder Steele: the house approved the election.

Letters from Salop of their ministers preaching bitter invectives against the parliament.

Letters that captain Dawkins took a Dunkirk frigate, with four pieces of ordnance, and a commission from prince Charles.

Letters that a minister and his wife, near Edinburgh, were lately apprehended for witches.

Letters that the lord-lieutenant upon his march towards Wexford took in several garrisons.

Colonel Scroope was made governor of Bristol-castle.

5. These acts passed: Acts.

To give liberty of transporting ungarbled spices.

For settling the accounts of the commonwealth.

For redemption of captives.

Order for a declaration to be published to the kingdom, upon sale of the lands of the late king, queen, and prince.

Letters from York, that some of the reduced officers there seized upon the person of Mr. Rymer, a committe-man, and

carried him away with them; but being overtaken by some eminent persons, by their mediation he was released.

Letters that some aldermen of Wexford were sent out to treat with the lord-lieutenant ten miles before he came to the town.

That Inchequin would surrender up his forces and garrisons, so he might have security of his life and of his estate of 1000*l.* per annum.

That the earl of Antrim would surrender four garrisons upon condition to enjoy his life and estate.

That colonel Venables was made governor of the north of Ireland.

That most of colonel Ewer's officers were wounded at the storming of Tredah.

Prince Rupert having been for divers months blocked up in the harbour of Kingsale by the parliament's ships, at length, by reason of his want of provisions, and Cromwell's being ready to take that town by land, the prince was forced to a resolution to make his way through them:

And with the loss of three of his ships, he bore out of that harbour, and with the remainder of his fleet, getting clear of the parliament's ships, steered his course for Lisbon, where he was not only protected, but caressed by the king of Portugal: which so much displeased the parliament, that they commenced a war with that prince, doing him many great damages in the trade and navigation wherein the riches of that nation chiefly do consist:

At the same time that prince Charles and his retinue, about three hundred, arrived at Jersey, and was there proclaimed king. Some few forces were landed in the isles of Orkney from the lord Montrose, and some came out of Ireland into the north of Scotland under sir James Montgomery.

Hereupon, and to oppose these forces, the Scots began to make preparations, though at the same time they were upon terms of treaty with their king, for whose service these forces were designed.

The kirk having long before excommunicated Montrose, strict order was now given for suppressing a declaration which he had caused to be published in Scotland for justifying of his proceedings.

Mr. Windram, laird of Liberton, though hardly drawn to it,

was at length despatched away with a message to the Scots king: after his arrival in Jersey, he waited for an audience till an agent that had come from Ireland was dismissed;

Then being admitted to the prince's presence, he presented to him the desires and offers of the states of Scotland, which were to this effect: Scots overtures.

1. That he would sign the covenant, and pass an act for all persons in Scotland to take it, and to ratify all that had been done there concerning the same.

2. That he would pass divers acts of the parliament of Scotland, which were ratified by their two last sessions; as, for his approbation of their disclaiming duke Hamilton's design, for receiving the several acts made by the English for the militia, for the kings of Scotland to have no negative voice in that parliament.

3. That he would withdraw his commissions to Montrose for raising forces to be sent from beyond seas into Scotland, and to give present order for the stopping thereof.

4. That he would put away all papists from about him, and let none be of his counsel but known protestants.

5. That he would appoint some place about Holland to treat with commissioners from the estates of Scotland, who would send eminent lords to him to treat and conclude there upon all particulars, and from the time he should come into Holland they would provide for him what should be necessary to make him and his train to reside in a regal manner.

6. That he would give a speedy answer to their desires.

These propositions were much debated by the prince's council, who were of a different sense concerning them; nor could a present answer to them be agreed upon, the prince having engaged himself to the queen his mother not to do anything in matters of importance without first acquainting her therewith, and having her advice about them. It was thought fit also speedily to acquaint Montrose with this business.

Some of the prince's council were for rejecting these propositions as dishonourable and disadvantageous. Others were for accepting them, and a speedy agreement with that party in Scotland which was most prevalent, and by whom the prince had greater probability of obtaining the crown than by Montrose's designs, which were full of hazard and uncertainty. 430

Letters also came from the queen, urging, that if the Scots propositions seemed at present too severe and insupportable, there might hereafter be opportunity as soon as he had obtained the kingdom, to free himself, at least in some measure, from the inconveniencies of them.

The main of his counsel tended to this, that according to the exigence of his affairs, at present, it was absolutely necessary to comply with the kirk of Scotland.

Montrose. Montrose advised the same, and that the banishment of himself might not hinder it; but to that the king answered, that he had found him so faithful, and to have performed so eminent services both to his father and to himself, that he could not in justice or honour leave him, and desired him to urge him no further to it.

In regard the answer to the Scots propositions required some considerable time, because it could not be completed to be returned by the laird of Liberton, sir William Fleming was sent as agent beforehand to Edinburgh, from thence to give advice of the affairs in Scotland, that thereby the counsel might the better know how to frame the answer.

Sir John Berkeley and colonel Slingsby were sent into the west of England to solicit the king's friends to rise in arms for their prince, and being accidentally discovered by a country fellow, were apprehended by the committee of the county and sent prisoners to Truro.

Negotiation in Spain. The prince had ambassadors with the emperor, the duke of Muscovia, the state of Venice, the great Turk, and with the king of Spain, to whom the substance of the embassy was:

1. That the parliament of England having been in arms against his father, prevailed against him, and caused him to be put to death.

2. That he being son and heir to the late king, was yet kept out of his kingdom by the aforesaid parliament.

3. That he desired the king of Spain's neighbourly assistance, and that he would afford him what aid he could to establish him into his rights and dignities in the kingdoms.

To this the king of Spain made answer:

1. That he was sorry for his father's ill success, wishing he had been more prosperous.

2. That he condoled with him for his father's death, and was much affected with sorrow at the manner of it.

3. That concerning the difference between him and the parliament,

and the rights on the one or the other side, they being matters out of his territories and jurisdiction, he could not take cognizance of them, nor should he meddle therein. But for anything within his own dominions he should be ready to do him what lawful favour he could.

November 1649.

The prince's continuance at Jersey was by his counsel held not fit to be much longer, upon these reasons:

Reasons.

1. Because there was a considerable fleet of the parliament's come already to Portsmouth with store of provisions; and it was necessary to prevent the danger that might fall upon them in case those ships should make an attempt upon the island; which that they would do was the more probable, because there were already men landed in Guernsey.

2. That if they should lie under that hazard, they knew not where to expect relief, except all other services should be neglected, and prince Rupert and Montrose called hither; which would be the ruin of their designs.

3. That their removal would give great satisfaction to the kingdom of Scotland, and be an encouragement to their friends in England.

4. That thereby they should be the more free from hazards and dangers, both as to themselves and others, that should make addresses to them.

Intelligence.

The council of state in England had good intelligence of all the transactions of the prince and of his counsel; which they procured by their money, whereof some of the prince's servants were needy, and would betray their master for it.

The times were licentious, and men took strange liberty to calumniate all in authority, and to clamour if they had not what themselves thought fit, respecting themselves and their private interests and concerns, much more than the rules of right and justice, and the law itself.

When the king of Portugal could neither by force nor entreaties be persuaded to cast off prince Rupert out of his protection, the English admirals resolved with patience to wait his coming out, and a long time they kept him in there, till at last want of provisions made them retire and give the prince room;

Prince Maurice.

Who immediately steered from thence to Malaga, but in the voyage, perplexed with extraordinary storms, he lost his

brother Maurice, who being in the vice-admiral was never since heard of.

Prince Rupert. Himself, being again followed by the parliament's admirals, lost all his ships but two, which his pursuers looking upon as inconsiderable, and not worthy their time and pains to hunt after, returned, and left him sea-room to come with them into France.

The parliament fearing lest now the Scots king should join interest with the Scots, (which was now generally talked of,) they had good intelligence of all proceedings in that business, and provided for a storm from thence, and from those who probably might join with them from England.

They endeavoured to prevent all trouble which might happen in England by quartering their army up and down in the several counties, to be ready to attend all motions; and to defend themselves from an invasion of the Scots, they ordered some force to lie constantly upon their borders.

Cromwell. Cromwell proceeded prosperously in his affairs in Ireland, took in many considerable places and countries there, and gave a constant account of all his proceedings to the parliament and council of state, and in all his letters gives glory to God, to whom it is only due.

Parliament. The parliament and the council of state by their order were busy in making provisions and supplies of men and money for the service of Ireland; which caused their business to proceed the more happily and willingly on the soldiers' part, who, without money, are without discipline, and commonly without good success.

Lawyers. In the parliament were many debates about reformation of things, according to the late petitions; and amongst the rest of particulars there was a great pique against the lawyers: insomuch as it was again said, as it had been formerly, that
431 it was not fit for lawyers who were members of parliament (if any lawyers ought to be of the parliament) to plead or practise as lawyers during the time that they sat as members of the parliament.

To this I thought fit to give some answers, as I had done before; that which I spoke was to this effect:

Mr. Speaker,

I was unwilling again to have troubled you upon this argument, had I not been again called up by the mistakes of the worthy gen-

tleman that spake last, to give you a true account of those matters, and to vindicate the honour of that profession whereof I am an unworthy member.

The gentleman was pleased to intimate, that lawyers were heretofore excluded from being members of parliament; but I suppose he had not much studied the records of that matter, and therefore related the discourses of others by hearsay only.

But for his conviction, and for the satisfaction of others, I shall acquaint you with the clear passages of what he aimed at, as I suppose, and as I find them upon record, which are much more authentic than some (perhaps) table-talk, or discourses at random.

The statute 23 Edw. 3. calls the members of parliament *the learned men*, whereof many were learned in the laws, and therefore supposed to have had that title. But shortly after this, the great men degenerating in the old age of the same king into several factions,

And being much offended with those who were learned in the laws, because they hindered their oppressions by pleading the right of law on the behalf of their clients, 46 Edw. 3. petitioned, that *Nul home de ley pursuont besoignes, en le court de roy, ne viscount pour le temps que il est viscount, soient retournez ni acceptez chivaliers des countees:* 'That no man of law, following business in the king's courts, nor sheriff, be returned, or accepted knights of shires.' Rot. Parl. N. 13.

To this the king answers,

Voet le roy que chivaliers et serjeants des meaux vaues du païs soient retournees desormais chivaliers en parlements, et qu'ils soient esleus en plein counte. 'The king willeth that knights and sergeants (that is, esquires) of the best rank in the county be from henceforth returned to be knights in parliament, and that they be chosen in full county.'

After this ordinance, and pursuant to it, a clause was inserted into the writ for choosing members for the house of commons, 5 Hen. 4. to this effect: Rot. Parl. L. s. 2. N. 4. dorse.

Nolumus autem quod tu seu aliquis alius vicecomes regni nostri, sive aliquis alius homo ad legem, aliqualiter sit electus. 'We will not that you, or any other sheriff of our kingdom, or any other man of law, by any means be chosen.'

According to this ordinance and clause of *Nolumus*, the sheriffs have been since excluded from sitting in parliament as members during the time of their shrievalty, the debate of which point was had, and full of learning, in a former parliament, in the case of a very learned and worthy person, sir Edward Coke, whom most of us knew.

He being made sheriff of Bucks, upon displeasure against him, was

chosen knight of the shire for Bucks, and sat in parliament; and I had the honour then to be a young parliament-man in the second year of the late king.

The objections against him were, the constant usage not to permit sheriffs to sit as parliament-men; their oath to reside in their counties, the custody whereof was committed to them; and that their office was but annual, and so the disability was but for that time only.

But for a man to be disabled from being a parliament-man in regard of his being a lawyer, is to disable him during his life, or his continuance in his profession, by which he gains his livelihood; and they are not public officers, obliged to another attendance on the public affairs, as the sheriffs are.

Yet it is true, that in this parliament, which was held 6 Hen. 4, all lawyers were excluded, and none of them returned to serve in this parliament; and perhaps, from some general discourse hereof by others, the worthy gentleman is pleased with confidence to vent his doctrine and motion.

But in case he did read and understand the records of this ordinance, and of the clause of *Nolumus*, yet, I suppose, he never looked into the ground of this business, nor into that which followed thereupon, wherein I shall hope to satisfy him, and so as to alter his opinion.

King Henry the Fourth, being in great want of money, summoned that parliament, and caused to be inserted in the writ this clause of *Nolumus*, to exclude the lawyers, because he doubted that they would oppose the excessive demands which he was to make to the parliament.

Thomas Walsingham saith,

Hist. Eng. an. 1404. p. 371. Hypodigma Neustria, an. 1404.

That all the lawyers being excluded, the demands of the king were by this means obtained, and by this parliament was granted an unusual tax, and to the people, *tricabilis et valde gravis*, "a tax full of trouble and very grievous:" Whereof (the historian saith) he would have set down the manner, had not the granters and authors of the same desired to be concealed for ever to posterity by causing the papers and records thereof to be burned.

Mr. Speaker, this is the precedent intimated by the worthy gentleman, and this was the occasion and issue of that precedent, the like whereof, I presume, is not wished by him.

Walsingham styles that parliament in the margin, *parliamentum indoctorum*, 'the parliament of unlearned men.'

Speed in his history saith, that this parliament was called *the lack learning parliament*, either for the unlearnedness of the persons or for their malice unto learning.

But God hath blessed this nation with such an age of learned men at this present that former times knew not, and we must acknowledge that though the house should lack all their members who are lawyers, yet the rest are of so great abilities that there would be no lack of learning.

Yet, sir, I am sure that the addition of those many learned gentlemen of our profession hath been and will be some help in your affairs, and will not be despised by any prudent men.

The worthy gentleman was pleased slightly to call them *gownmen*, who had not undergone the dangers and hardships that martial men had done. And truly it might less become the gentleman that said it, than others, to make that observation, if it had been so.

The ancient Romans were soldiers though gownmen; nor doth that gown abate either a man's courage or his wisdom, or render him less capable of using a sword when the laws are silent or you command it.

You all know this to be true by the great services performed by 432
lieutenant-general Jones, and commissary general Ireton, and many of the members and other lawyers, who, putting off their gowns when you required it, have served you stoutly and successfully as soldiers, and undergone almost as many and as great dangers and hardships as the gentleman who so much undervalues all of them.

But we are now speaking of their right to be chosen, and to sit as members of the parliament; which doubtless is as much and the same with all other the commoners of England.

The historian last mentioned saith, that the commons of England, who have liberty in the choice of their knights and burgesses, would not be debarred thereof by the ordinance of Edw. 3. nor by the clause of *Nolumus* inserted in the writ by Hen. 4. But notwithstanding the same, knowing the lawyers to be equally interested with them in the public rights and liberties of the nation, have made a constant choice of some of them to serve in all parliaments.

The lord Coke, 4 Instit. p. 48, holds, that the ordinance 46 Edw. 3. by the general words of 5 R. 2. stat. 2. cap. 4. and 7 Hen. 4. cap. 15 was repealed.

However, we read not of any parliament (except that unhappy one 6 Hen. 4.) in which the lawyers were excluded: and after not a few considerable services, both civil and military, performed by some of them for you, it was somewhat an ungrateful motion now to have excluded them.

We may lay aside the clause of *Nolumus*, lest other clauses of *Nolumus*, which we find in the writs of summons, do come as near home to others. Sometimes clauses were inserted in the writs for

election of commoners, to this purpose: *Nolumus autem quod aliquis de retinentia domini nostri regis aliqualiter sit electus:* 'We will not that any of the retinue of our lord the king in any wise be chosen.'

Though, sir, I acknowledge that worthy gentleman, and many others who have been the king's servants and courtiers, have been very faithful to you, and done you acceptable services, and so some of them have done in former parliaments; and I hope you all do think so; yet the undervaluing of our profession to be members of parliament hath less strength coming from such gentlemen than from others, because some from abroad will be apt to say of them (though scandalously) that courtiers and king's servants use to sit in parliament rather to promote their master's ends than their own country's rights: but such objections are now out of doors.

The like passage with this we are now debating is related in the Roman story, when the law *cincia* was made, whereby it was provided, that for pleading of causes no man should take either money or gift, and this law was endeavoured upon the like grounds to be set on foot presently after the death of Tiberius Cæsar.

But when some alleged, that this would cause the want of counsellors and advocates, whereby the poor would be oppressed by the rich and mighty;

That eloquence did not come by chance or gratis, without study and labour; that the care of a man's own family was neglected whilst he attended other men's affairs; that some maintained their life by war, some by tilling the earth, yet no man laboured in those callings to attain knowledge, but for the commodity arising thereby;

That the meanest of the people endeavoured what they could to better their estates, and that if the reward of studies should be taken away, studies also would decay, as having neither glory nor honour.

Upon these reasons the senate thought it not just, and I hope this senate will be of the same judgment, to take away the *honorarium* of advocates, but limited the same to 1000 sesterces, which some compute to about 78*l.* of our money.

"Neither," saith Tacitus, Annal. l. 11, "did that law continue, or gain compliance to it." Neither do I think that such a law amongst us would be to any effect, or have any compliance to it.

But I hope this honourable English senate, and that worthy gentleman, a member of it, will be satisfied with the reasons given in the Roman senate, (who were very wise men,) and not trouble themselves about such new laws, which will be ineffectual, prejudicial to many, and good to none.

But the gentleman objected, and it is much urged in these times against the profession of the law and the professors of it, that they are the occasion of multiplicity of suits, and of delays in them; and therefore, after the example of some foreign countries, not to be permitted.

I have observed to you before, that those in power have most reason to be displeased with this profession, as a bridle to their power: but that the profession occasions multiplicity of suits is as improbable as any other of his reasons or his arguments.

Mr. Speaker, the reason of the multiplicity of suits and law causes amongst us is the greatness of our trade, which causeth a multitude of contracts, and those occasion a multitude of lawsuits.

In those countries mentioned by that worthy gentleman there is not one of his profession, one merchant, nor one contract, for a hundred in England; that is the cause that they have so few lawsuits and we so many.

And give me leave, sir, to tell him that in the Netherlands, and countries where there is much trade, there are proportionably as many lawsuits as there are in England.

Another ground of what I affirm is, that in foreign countries every man's estate is disposed of by their law, after a certain rule and proportion, which the possessor cannot, either by conveyance or by his testament, afterwards alter;

As, when one dies, his estate is thus divided by the law: his wife hath a part set out for her, the eldest son hath a double portion, and all the other sons have equal portions, and every two daughters have as much as one son of the whole estate of their father thus divided by the law:

Whereas with us every possessor of an estate hath power to dispose of it by his deed or by his will as he pleases, which must necessarily occasion the more differences and suits at law, upon constructions of those deeds and wills, and contests of parties claiming, than where the known law gives a certain rule and distribution of estates, which none can alter.

Another ground of what I say is the freedom of our nation, where every one hath equal right and title to his estate, and there is as full a property to the meanest as to the greatest person, which causeth our countrymen to insist upon their right and privileges, and to contest for them with the greatest men, or the prince himself, if right of law be on their side.

This occasions many more lawsuits than do arise in those countries where the boors and peasants do wholly depend upon the will of their lords, to whom they are slaves, and dare not dispute any

matter of right with him, but tamely submit unto their lord's good or bad pleasure.

And though in some of those northern countries they have no
433 counsellors at law, as a public profession, because the smallness of their law business will not maintain them, and the great lords are ofttimes their parties and judges themselves;

Yet in Germany, France, Spain, and other countries, the doctors and professors of the laws are in great numbers and credit, and gain vast estates, though by small fees, yet often taken, and long continuing. Whereof, particularly in France, there are many precedents.

And if we look so far as the times of the ancient Romans and Grecians, their lawyers will be found numerous and of esteem among them; and when their commonwealth enjoyed the greatest freedom, this profession was in the highest reputation.

Sir, the worthy gentleman was pleased to mention one thing with some weight, that lawyers were permitted to counsel and to plead for men in matters touching their estates and liberties, but in the greatest matters of all others, concerning a man's life and posterity, lawyers were not permitted to plead for their clients.

I confess I cannot answer this objection, that for a trespass of *6d.* value, a man may have a counsellor at law to plead for him, but where his life and posterity are concerned he is not admitted this privilege and help of lawyers.

A law to reform this, I think, would be just, and give right to people.

What is said in defence or excuse of this custom is, *that the judges are of counsel for the prisoners, and are to see that they shall have no wrong.* And are they not to take the same care of all causes that shall be tried before them?

To that part of the gentleman's motion, that lawyers being members of the house should during that time forbear their practice and pleading, I shall only give this answer:

That in the act which he may be pleased to bring in for this purpose it may likewise be inserted, that merchants shall forbear their trading, physicians from visiting their patients, and country gentlemen shall forbear to sell their corn and wool, whilst they sit as members of this house; which hath the same reason as to debar lawyers from their practice.

But I doubt, sir, I have held you too long; my profession and the subject matter of the debate will plead my excuse; and I hope, sir, that, by your prudence, such motions as these will be less frequent among us.

December 1649.

1. The affairs in Ireland went on prosperously, and Cromwell's honour increased with his successes. The treaty between the Scots and their king began to grow to some head, and was very likely to take effect.

The parliament went on in their usual way, debating acts, making references to the council of state for the raising of money, and providing supplies for their forces in Ireland, and for the standing army and garrisons in England.

A list presented to the parliament of divers regiments and garrisons who have subscribed the engagement:

I, *A. B.* do declare and promise that I will be faithful to the commonwealth of England as the same is now established, without a king or house of lords.

10. Letters that every officer and soldier subscribed the engagement, and that it was so unanimously done by them, that not one of a thousand did scruple the signing of it. The engagement.

11. The general council of the army, being careful that the soldiers should not be injured in reaping the benefit of the late act for sale of the lands of the late king, queen, and prince, made several votes.

For a letter of attorney to be sent to the several regiments, troops, companies, and garrisons of the army, and to the forces in Ireland, and other forces not of the army, who are original creditors, and have interest in the security: Votes.

That attorneys may be authorized for the purchasing of those lands according to the act, with the opinion and advice of the council, concerning the letter of attorney, to be sent to every regiment of the army, and to be signed by them.

The general and officers of the army met at Somerset-house according to appointment to meet every month, to seek God for a blessing upon the army, both in Ireland and here. Army.

Letters from Ireland of the further successes of the army there, which were to this effect: Letters from Ireland.

On the 15th of November our army marched over the river Barrowe, into the county of Kilkenny, towards the enemy: about three hundred of their men lay at Emstrong: a party of the parliament's horse and dragoons were sent thither in the dusk of the evening. At first the enemy vapoured over the wall, but when the dragoons had set fire to

the gate, it so quashed them, that they presently quitted the town, and escaped by boats over the water, leaving the town to the parliament's men to plunder and possess it.

The parliament's army still advanced towards the enemy's body, who upon their approach brake down the bridge at Thomas Town, and this winter season the fords were unpassable, so that the parliament's could only have a sight of the king's army, but could not come to join battle with them, nor proceed in their designs for Kilkenny. In their march back they took Cnoctofer-castle, and put into it thirty horse and twenty dragoons, but recalled them, the castle being too far into the enemy's country. On the 19th captain Reynolds was sent with a party of horse and dragoons unto Carrick, a walled town, where is a fair house of the lord Ormond's; in the town was a regiment of foot and two or three troops of horse. The dragoons, after a little dispute, set fire to the gate, and the enemy, both horse and foot, quitted the place and escaped over the water; only some eighty Welchmen, who were in the great house, submitted to mercy, and took up arms with the parliament.

On the 21st the army marched to Carrick, to pass over the river where it is fordable. And the 24th of November the parliament's encamped before Waterford; presently the lieutenant-general, with some horse and dragoons, marched to Passage Town, six miles below, where there is a strong fort that secures the river.

The dragoons fell presently upon the storm, and in a short time set fire on the gate; whereupon the enemy within called out for quarter; and upon assurance given by the lord lieutenant that they should have quarter for their lives and their wearing apparel, they surrendered the fort to him, where were six pieces of ordnance; and the town was of great advantage to the parliament.

434 The parliament left in Carrick colonel Reynolds with his regiment of horse, a troop of dragoons, and two foot companies. The next day after they marched out of it, Ormond (whom they supposed inclined towards Cromwell) marched towards Carrick, and besieged it.

The king's forces made themselves sure of carrying the town, and therefore drew a party of horse and foot over the water, to prevent the parliament's escape that way.

The Ulster forces undertook the storm; they came on very resolutely, and made desperate assaults for the space of four hours: they set fire to all the gates, and in one place undermined the wall, attempting to blow it up with a barrel of powder.

But through the mercy and strength of God, colonel Reynolds with the rest maintained the town very gallantly, and beat off the enemy with the loss of about four or five hundred men, and wounded very many; he losing not above four of his men all the while.

God hath prospered colonel Reynolds very much, he goes out almost upon every party, and behaves himself with much gallantry and resolution. The parliament's dragoons have done them great service.

About a mile from Carrick is a little castle upon the river, where the parliament put six or seven dragoons to keep it; Inchequin summons them by his trumpet; none of them could read the summons, but perceived by the trumpet what it was; and though they could not write, yet without compliment, and in plain phrase, they returned no other answer but this to the trumpet:

"Bid Inchequin go about his business, and be hanged, for he had nothing to do with them." And thus, though they could not return an answer in writing, they did in resolution.

The parliament's forces were now before Waterford, and make preparations for a storm when their great guns with other necessaries shall be despatched to them. Ruisile and Bandon bridge are theirs. The lord Broghil and colonel Fair, since their arrival in Munster, have gained many a horse and foot unto them.

The lieutenant-general and officers received an order of parliament for stating the accounts, and giving debentures to such reduced soldiers as should engage for Ireland. In prosecution of that order of parliament, and according to the further direction of the council of state, the general sent his orders and instructions for the reducing of troops to the number of sixty, and concerning such so reduced as shall engage for Ireland, and such as refuse to go for Ireland to be dismissed, the rest to be conducted into Ireland for recruits for the forces there, and care taken for their present

pay, and for their accounts to be stated, and debentures given them to purchase king's lands.

13. Letters from Berwick, that every officer and soldier of that garrison, except two only, signed the engagement. That wheat there was at 10*s.* a bushel; corn and other provisions desired.

Letters from Scotland.

From Carlisle of the want of corn; that the garrison unanimously subscribed the engagement; that they give out in Scotland that Cromwell was routed in Ireland, and with four broken troops escaped to Dublin: which much rejoiced them at Edinburgh.

That they expect the return of the laird of Liberton from Jersey.

From Newcastle, of the unanimous subscription of the engagement by that garrison.

That many witches were apprehended thereabout of late; that the witch-trier taking a pin, and thrusting it into the skin in many parts of their bodies, they were insensible of it; which is one circumstance of proof against them.

From Scarborough, of the garrison's free subscribing of the engagement; that they see our enemies at sea chase our ships; desire care of the winter guard.

From Hull, that the regiments, both officers and soldiers, signed the engagement, not one refusing.

14. Order for ships to convoy and transport the recruits for Ireland.

An account from Liverpool of about two thousand soldiers shipped from thence to Ireland.

From Weymouth, that colonel Popham was there with ships ready to transport colonel Cox's men for Guernsey, and the men also ready.

Order of parliament for a thanksgiving throughout the city for the good successes in Ireland.

15. A private soldier sentenced to be shot to death for killing a man.

In the road at Broadway hills many were robbed and murdered. A tailor found dead, with seven or eight wounds, with 50*s.* in his hand, and his horse loose by him.

Directions given to several regiments of horse to quarter in such places as are most convenient to scour the highways of thieves and robbers.

Letters from Dover, that the garrison freely subscribed the engagement. That the king of France and those of Bourdeaux were upon agreement. That the States of Holland intended to disband five thousand horse and foot, and many of the commanders purposed to come into England, hoping for entertainment.

17. The general council of the army, after a long debate about settling the business for the sale of the king's lands, referred it to a committee to consult with the committee of parliament, for obstructions in the sale of the king's lands, &c.

Referred to some officers to consider of a course for pay for captain Harrison's company of Lancashire men, who marched with Cromwell into Scotland.

One Vaughan a minister, once a cavalier, then turned a zealot, then turned against the commonwealth, and preached that they were guilty of perjury, &c.

Letters that the soldiers quartering about Towcester, and riding abroad in the night, had frighted away the thieves from Broadway hills and those parts, to the great contentment of the country.

18. The committee of officers had a long debate about making the way practicable of buying the king's lands, &c., appointed for the army's security.

Mr. Penruddock, an agent for prince Charles, was taken and committed close prisoner to the Tower.

Letters from York, that there was a rendezvous of colonel Lilburn's party that are marching for Ireland, about one hundred old blades, stout men, and well horsed, ready for the service.

An account from Chester of soldiers shipped from thence to Ireland.

The port of Coventry intercepted a packet of scandalous books, entitled, *The character of K. Cromwell; The Woodstock scuffle*, &c.

Letters that Montrose having solicited the king of Denmark and the duke of Holstein for six thousand men to be levied in their dominions for prince Charles, and for a place of rendezvous, and free quarter in Holstein, and for shipping and money to transport them, was put off by them without obtaining any of his requests to them. Montrose. Denmark. 435

That from thence he went to Stockholm, to solicit the court of Sweden for their assistance.

One Hammond, a trooper, according to the sentence of the counsel of war, was shot to death for killing one of his fellow-soldiers. He discovered matters of concernment to Mr. Knight, the general's chaplain, who went with him to the execution.

C. Bampfield. 19. Colonel Bampfield, an agent for prince Charles, and that had a hand in the escape of the duke of York, was apprehended and brought to Whitehall, and examined by the council of state, and by them committed to the Gate-house.

Letters from Guernsey complaining of the want of ships for securing that island, and relating the French news.

From Dunstar-castle, that recruits for Ireland were raising there by captain Desborough.

From Scarborough, of a vessel laden with corn from Jersey, forced in thither by storm, and secured by the garrison.

From Plymouth, an account of recruits to be shipped for Ireland.

From Berwick, that notwithstanding the late seizures and confiscations of corn carried by the Scots thither, yet they were still supplied for their money.

Scots. The Scots published a proclamation for restraining the exportation of victuals out of that kingdom.

20. Some stageplayers in St. John's street were apprehended by troopers, their clothes taken away, and themselves carried to prison.

Several returns were made of subscriptions of regiments and garrisons to the engagement.

Letters from Rye of the dearness of corn there: it was desired to have a magazine there because of the appearance in arms in France.

King's lands. 21. The general council of the army made several resolutions touching the soldiers purchasing of the king's lands, and sent instructions about it to the several regiments and garrisons.

Letters from Plymouth of the shipping from thence of sir Hardress Waller, with his companies and other recruits for Ireland; all which went with great willingness.

Ireland. From Ireland, that the lord-lieutenant was still before Waterford, had summoned them, but they refused to sur-

render; but the inhabitants, to save their estates, which are very great, would willingly comply.

That preparations were made to storm, and twelve hundred horse and foot came from Cork to assist the lord-lieutenant; that the enemy avoided fighting as much as they could, and gave out that the prince would be shortly with them from Jersey.

22. At Tyburn eighteen were executed for robberies, burglary, and murder; one captain Reynolds, who had been of the king's party, as he was going to be turned off the ladder, with the rope about his neck, cried, *God bless king Charles! Vive le roy!*

The commissioners for articles gave relief to sir Allen Apsley, governor of Barnstable, who was sued contrary to those articles upon the surrender of it. Sir Allen Apsley.

The citizens, at the choice of the new common-councilmen, elected colonel Pride and lieutenant colonel Lilburn to be two of the new common-councilmen.

24. The general and his officers considered which garrisons were fit to be reduced, to ease the nation in point of charge.

Letters from Portland, that colonel Cox with his men were under sail for Ireland with a fair wind.

From Newcastle, that the pirates lay lurking up and down in those seas, and did great mischief; that one of them went into the river Tees, and took out of a vessel as she lay on ground two hundred firkins of butter, and went on shore, and took divers gentlemen; but being pursued by a party of foot from Hartlepool they left the gentlemen behind, and got to their ship.

From Edinburgh, that the Scots will do nothing till they hear from the laird of Liberton; that Montrose is expected in Scotland, which bred a jealousy in their army, which some would have purged. Scotland.

That Montrose by his declaration threatens to invade the north parts of Scotland, and to be revenged for the death of the king, and lays it to their charge that they have sold him. Montrose.

From Halifax, that some of the clergy tampered with the soldiery not to subscribe to the present government.

An account from several places of the soldiers signing the engagement, but that divers ministers refused to sign it.

Victory in Ireland.

25. Christmas-day the house sat, and letters came from Chester, that from the north of Ireland they understood that about four thousand horse and foot of the enemy, who came to relieve Carickfergus, were routed by sir Charles Coot and colonel Venables.

That the Irish were commanded by Monroe, the lord of Ardes, and the earl of Claneboy; that one thousand of them were killed, and five hundred horse taken, and but two hundred of the parliament's forces did fight; that Claneboy was slain, or sunk in a bog, being corpulent, and colonel Montgomery and colonel Hamilton taken prisoners.

From Trym, that Mr. Stanly with forty horse set upon sixty of the enemy, killed about ten or twelve of them, all reformados, took the lieutenant-colonel that commanded them, and one more, and many horse.

Other letters of the defeating of the lord of Ardes, Claneboy, and Monroe, by sir Charles Coot and colonel Venables; that they took all their arms, ammunition, bag and baggage, killed colonel Henderson, and fourteen hundred more, colonel Hamilton, and most of the foot officers.

That the horsemen lost their horses, and betook themselves to bogs; that the English lost but one corporal and three soldiers.

26 Other letters confirming the victory against the lord of Ardes and the rest; and that it was done by only two hundred men, who were sent out as a forlorn, and fell upon the rear of the enemy, who fell into disorder, and were wholly routed by those two hundred only.

Montrose.

27. Letters from Hull, that Montrose was at Hamburgh, bestirring himself to get forces for prince Charles, but had little probability to get any considerable number or assistance from the emperor, the king of Denmark, or the princes of Germany.

28. Letters doubting that colonel Cox and his men, in their voyage for Ireland, being dispersed by storms, and not heard of since, may be in some danger.

The engagement.

436 The act passed for taking the engagement by all persons throughout the kingdom, with a penalty upon the refusers. Those in office or public employments to lose their offices; others, not to have the benefit of law to sue in any court.

Acts of parliament.

The act passed touching the rates upon the excise, in-

creasing them, to the intent to lessen the other assessments.

The act passed for continuing the assessment of 90,000*l.* per mensem, for six months, for the forces in England and Ireland.

An act passed for the discharge of poor people out of prison who are not able to give satisfaction to their creditors.

29. The messenger that brought the good news from Ireland had 100*l.* given him by the house.

London petition. Lilburn.

Upon a petition of the lord mayor and aldermen of London, touching the late election of lieutenant-colonel Lilburn to be a common-councilman, the house voted his election to be void, according to a late act, disabling the election of divers persons into offices within the city of London.

Lieutenant-colonel Lilburn took the engagement with a declaration of his own sense upon it.

Mr. Chetwyn, who procured the election of Lilburn to be a common-councilman, was, upon some complaint made against him, imprisoned by the lord mayor and court of aldermen; and afterwards, by order of parliament, committed to Warwick-castle, and an act ordered to be brought in to discharge him from being a freeman of London.

Some votes passed against other citizens upon the same business.

Declaration of the kirk.

Copies sent of the declaration of the general assembly of the kirk of Scotland to the king, wherein they reprove him for adhering to the council of James Graham and his accomplices; and advise him to settle the presbyterian government and pure worship in all his dominions, upon doing whereof they declare he shall have their assistance; but otherwise all the blood shed by his father will be laid to his charge.

Inchequin.

31. Letters that colonel Zanchy had ruined colonel Wogan's party who revolted from the parliament; and that Inchequin was got into Kilmallock against the will of the inhabitants, to gain conditions from Cromwell, giving out his strength to be greater than it is, he having not above four hundred with him.

Letters from Exon, that the ministers preach against the engagement, and that most of the commissioners for the assessment discountenance it.

Letters from Dublin, that colonel Hewson, the governor, marched out with a party to relieve Anklow, but the Irish that besieged it run away before he came.

That Waterford pretended to treat for rendition of the town, and in the mean time took in two thousand Frenchmen, and then hung out their flag of defiance.

Ireland. That the lord-lieutenant settled courts of judicature at Dublin, for the present, to proceed in the way of the chancery.

That Knockfergus was surrendered upon conditions, and but four of the garrison would go with the governor to Charlemont.

That the slaughter in the north was greater than at first reported; that the earl of Claneboy was not slain, but rendered himself prisoner to mercy.

That the lord-lieutenant left one hundred men in Passage, a small castle five miles from Waterford, which colonel Wogan, governor of Duncannon, besieged with five hundred men; and that colonel Zanchy, returning upon them with four or five troops of horse, surprised them, and slew all the party but two, and Wogan, whom they took prisoner.

That four common soldiers betrayed the castle of Briscorfe to the townsmen for 7*l.*; and captain Codde, the governor, and all his men, were put to the sword, except the four traitors, whom nevertheless the enemy would trust.

The general sent out his orders for his soldiers to assist the collectors in the gathering the arrears of the assessments for the forces now in Ireland.

January 1649. 1650

1. Divers returns made of subscriptions to the engagement by several regiments of the army and garrisons.

L. G. Jones. Letters from Chester of the sad news out of the south of Ireland, of that gallant able man lieutenant-general Jones, that he died at Dungarvon of a fever, and was buried at Youghall: he was greatly lamented.

Letters, that a trooper being left behind by a fall from his horse near Towcester, some of the townsmen came out and fell upon the soldier, cut and wounded him, that he is not like to recover.

Frigates. The house ordered the Prince, the Mary, and the Eliza-

beth to be prepared for sea-service, and other names to be given them; and referred it to the council of state to make the Royal Sovereign serviceable:

And to prepare for the next summer's guard forty-four states' ships, and twenty-eight merchant ships, to be manned with eight thousand eight hundred and two men for eight months; and to give letters of marque, and to make such further provisions, that the merchants may be enabled to preserve their ships and goods against wrongs of other nations.

Order, that all the iron-works in the forest of Deane be demolished, and no timber felled there, but preserved for the use of the state.

The lord-lieutenant of Ireland honoured the lord commissioner Whitelocke's son with the standard of his lifeguard, a reward for the service he had done him when he had the command of a forlorn, where, they told me, his horse was shot under him, his hat shot through, and himself hurt with the but-end of a musket.

2. Jealousies of the parliament's intent, by putting forth the engagement to perpetuate themselves, and to bind up the hands of future representatives. Jealousies of the parliament.

Letters, that ministers in the north do labour by their pulpit advantages to preach us out of our religion and liberty.

Confirmation of the news of defeating Monroe, with four thousand men, by sir Charles Coot, and the surrender of Knockfergus.

3. Letters, that Montrose had freighted twenty-eight ships from Denmark, with provisions of war and soldiers for Scotland; that the states of Scotland had called in Montrose's declaration, and commanded it to be burnt by the hands of the common hangman. Montrose.

Letters, that both Ormond and Cromwell had drawn their forces into winter quarters.

4. Letters, much lamenting the death of lieutenant-general Jones, and confirming the defeat given by colonel Zanchy to Wogan at Passage, where Zanchy killed eight hundred of Wogan's men, and took him prisoner.

Account of recruits for Ireland. 437

5. The officers of the army met about removing obstructions in the sale of the late king's lands, and agreed upon Obstructions.

some desires to be made to the parliament for further time to receive debentures within the security, and other matters, in order to the soldiers' satisfaction.

Two troopers sentenced to death by a court martial, for taking entertainment money for the service of Ireland, and running away from their colours, and three soldiers were sentenced to death at Bristol for killing of a townsman. The examinations were sent up to the judge-advocate.

An act passed for continuance of the committee of the army, and the treasurers at war, with the same powers they had formerly.

The act published for subscribing of the engagement.

Letters from Ireland that the enemy with their whole army lately stormed Carrick, but colonel Reynolds beat them away with the loss of some hundreds. And that more execution was done with swords and staves than with powder and bullet, their ammunition within being soon spent.

That the dropping weather had made the ground so moist and rotten, that it would not well bear their guns, so that the council of war advised to rise from before Waterford, and to retire into winter quarters to refresh their sick and weak soldiers.

Jones. Letters from Cork to this effect:

We had a very sore and stormy march hither, and that which added to the bitterness of it was the sickness of the truly noble and ever honoured lieutenant-general Jones, who was taken with a very violent fever, of which he died at Dungarvon the 10th instant. He was a gentleman very useful in the army, and is very much lacked and lamented. His approved constancy and fidelity to the English interest was such and so manifest, that he will very much shine and be famous for it to posterity.

His straits, hazards, difficulties, and necessities were very many, and I might add temptations too. Yet he brake through all with unmoved gallantry, steadfastness, and resolution. His temper and disposition was very sweet and amiable, and obliging to all. And he had very much love and respect to all that came lately over.

That colonel Zanchy, at the defeat he gave to Ferrel and Wogan at Passage-fort, took thirty prisoners more than the number of all his own party. That they killed all stragglers by the way, that seven parliament troopers fell upon thirty Ulsters in a house, and killed all of them.

Many persons were slain, and great mischief done by a sad accident in a ship-chandler's house, which was blown up with gunpowder, and divers neighbours' houses together with it.

The speaker and the lord general were feasted at Blackwall by a captain lately come from the Straits.

Letters from Carlisle that the moss-troopers grew very insolent, and committed many robberies and outrages upon the borders, and were harboured by the Scots; but some of them were taken by the parliament's soldiers.

From Berwick, that colonel Hamilton, who was the death of colonel Oconelly at the storm of Trym, was taken. That the Scots went on to purge their army of sectaries and insufficient men, that is, such as never before were in service.

8. Letters of the great want of physicians for the parliament's forces and protestants in Ireland, so that any of them being sick, were fain to trust themselves in the hands of papist doctors, which they write is more than the adventures in the field.

That some chief of the enemy's armies are very zealous to make their peace with the parliament.

The house ordered the commissioners of the great seal to grant out a petition and patent for major-general Ireton to be president of Munster. Ireton.

Order that Mr. Thomas Goodwyn be president of Magdalen college in Oxford, and referred to the committee of the universities to consider how the heads of the houses in the several universities may be settled and disposed of without trouble to the house. Universities.

Several orders and references to the council of state and committee of the army touching recruits, and for supplies of provisions, ammunition, and money for the forces in Ireland.

9. Letters from Newcastle, that lieutenant-colonel Hobson sent his warrant to apprehend some cavaliers, but they and the moss-troopers joined together, stood upon their guard, took away the warrants by force, secured themselves, and disarmed the men; but a greater party of soldiers being sent, brought them away prisoners.

From Scarborough, that there was a meeting at York of the commissioners for settling the militia of that county, where, according to the instructions from the council of state, they were to raise three thousand foot and four hundred

horse for defence of that county and service of the commonwealth.

That the pirates took away a great ship within sight of Burlington quay, and carried her away.

Ireland. From Dunstar, that the enemy surprised Ensiscoifie-castle in this manner: that some Irish gentlemen feasted the garrison soldiers, and sent in women to sell them strong water, of which they drank too much; and then the Irish fell upon them, took the garrison, and put all the officers and soldiers to the sword.

That upon hearing of this the lord-lieutenant gave orders that the Irish should be put out of all the garrisons in the power of the parliament.

That an Irish frigate coming ashore for provisions near to Cardiffe, the governor suspected and apprehended them, and sent out a party in small boats, which took the frigate, which was richly laden with plate and other commodities.

From Weymouth, that in the night some persons in Blandford proclaimed prince Charles king of England, but some of them were apprehended and imprisoned.

From Yarmouth, that sixty prisoners that were in the gaol did break prison, yet all but three of them were again apprehended.

10. Account of several companies and parties of soldiers willing to serve in Ireland, and marched to the seaside to be transported; and many undertook the service very cheerfully.

Three troopers condemned to death for killing a man, but evidence appearing to extenuate the crime, the general pardoned them.

The ship which carried the soldiers unto Guernsey returned to the general rendezvous of the ships at Stoke's bay.

Letters of account of sea affairs.

11. Proposals for a fleet to be sent into the Straits, to meet
438 with those French who have lately taken many merchants' ships of London, and disposing of their goods, refusing to make any restitution.

Letters that Montrose could get but few to join in assisting prince Charles, and those he had were more by connivance than by any act of state.

12. Several proposals made to the general and his officers

in order to the removing of obstructions in the sale of the late king's lands.

The parliament ordered a letter to be written by the speaker to the lord-lieutenant of Ireland, and to confer with him concerning further supplies of men, money, and ammunition, and for the settling of the civil government there. Cromwell sent for.

The ground of this resolution was, that the news of the king's coming to Scotland became more probable than formerly, and the Scots proceedings in the raising of new forces gave an alarm to the parliament, and some of their members, who had discoursed with the lord general upon those matters, and argued how requisite it would be to send an army into Scotland to divert the war from England, found the general wholly averse to any such thing, and by the means of his lady, (a strict presbyterian,) to be more a friend to the Scots than they wished: therefore they thought this a fit time to send for the lieutenant of Ireland, and the rather his army being now drawn into winter quarters. Reasons.

Order for relief of some of those who suffered great loss in the late unhappy accident of the houses in Tower-street being blown up with gunpowder.

Referred to the council of state to send a letter into Russia touching the trade there.

14. Letters from Scotland, that in the pulpits they preach altogether for the king's coming in, and yet proceed to purge their army of all cavaliers; that nothing certain was yet returned from the laird of Liberton. Scotland.

Letters that colonel Hacker had taken sixty moss-troopers; that Montrose was expected every day in Scotland.

One Coppe, an anabaptist in prison, a great swearer and curser, and held that God could not damn him, yet persuaded many to be of his religion.

Many were drowned in the great floods upon the melting away of the snow.

15. Letters that the forces landed in Guernsey wanted accommodations of beds, &c., and were fain to lie in a church ever since they were landed.

That two frigates of the prince prepared from Jersey to attempt Guernsey, hearing of the parliament's soldiers landed there, were presently diverted.

Letters from Oxford, that the judges sat there upon a com- Engagement.

mission of oyer and terminer, and at the first sitting they and the high-sheriff, under-sheriff, officers of the court, and grand jury, all took the engagement in the face of the country solemnly and cheerfully.

That one of the prisoners obstinately refusing to plead was pressed to death in the sight of two others who refused to plead, upon which one of them pleaded, but the other refusing was also pressed to death.

An account of divers of colonel Desborough's men shipped for Ireland, and of the apprehending colonel Slingsby, and another officer of the king's in Cornwall, who were carried to prison till further order from the parliament or council of state.

16. Divers surveys returned into Worcester-house of lands of the late king, queen's, and prince's appointed to be sold.

Courts martial.

17. The general sent his orders to several garrisons to hold courts martial for the punishment of soldiers offending against the articles of war, provided that if any be sentenced to lose life or limb, that then they transmit to the judge-advocate the examinations and proceedings of the court martial, that the general's pleasure may be known thereupon.

The commission also from the general gave authority to examine witnesses upon oath against the offender, and for his defence.

An account of recruits for Ireland, and returns of subscriptions to the engagement from several regiments and garrisons.

18. Letters that the mayor and magistrates of Yarmouth, and all the officers and soldiers of the garrison there, did willingly take the engagement, and that there was great affection and unity between them.

That the commissioners appointed by the council of state were settling the militia in those parts. That a Danish ship of twelve guns was cast away in sight of the town, who sent out boats and saved twelve of her men; the rest were drowned, and six of her guns saved.

From Jersey, that the prince intends to remove back again into France; that his counsel is much divided about what answer to give to the laird of Liberton's message.

Durham.

From Durham, that a written paper was fixed upon the

market-cross, of the title of king Charles II, &c., and that all who opposed him were guilty of rebellion, which was treason in the highest nature, and therefore the authors kindly wished all to amend.

19. Most part of this week was spent in parliament upon debates of a new act for regulating the elections of members for future representatives, and upon a bill for managing and ordering of the sequestrations.

Granger and others were apprehended for counterfeiting warrants, and receiving great sums of money collected for the service of the forces in Ireland.

The generals at sea met at Portsmouth to hasten out the navy to sea.

The general and his officers made several resolutions touching the purchasing of the late king's lands.

Several other persons apprehended and committed to the marshal-general for counterfeiting debentures and warrants, whereby they received several sums of money from collectors.

21. The general and his officers met, and passed several votes to be presented to the committee of parliament, touching the removal of obstructions in the sale of the late king's lands, and for the examination of the soldiers' times of service, and what arrears are due to them, &c.

22. Long debate upon the act of sequestrations, to which the house added several provisos.

Letters from Weymouth about the pirates infesting that coast.

From Newcastle, that the taking of the engagement sticks most with the presbyterians, who pretend conscience to oppose it; but the cavaliers in policy subscribe it.

That the cavaliers report that lieutenant-general Cromwell was sent for out of Ireland, because he was forced from thence, and could no longer subsist there. 439 Reports.

From Edinburgh, that Liberton wrote a letter only to let them know that he was safely arrived in Jersey, but not one word of the king's mind.

That sir William Fleming came thither from Jersey to see what posture they were in: that many witches were daily apprehended and brought to the fire.

From Hull, that Mr. Strickland, the parliament's agent in

Holland, finds there a very fair comportment as to the affairs of England.

From Plymouth, that the cavaliers have frequent and great meetings. That the soldiers and officers there did willingly subscribe the engagement.

23. In a meeting of the officers of the army with the committee for removing obstructions in the sale of the late king's lands, several things were agreed upon for the advantage of the soldiery in the purchase of those lands.

Colonel Desborough and his court-martial at Plymouth sentenced two soldiers to death for running away after they had listed themselves and taken money for the service of Ireland.

Letters that a ship, with thirty horse and one hundred and twenty foot, bound for Ireland, were cast away, and all drowned.

From Kingsale, of Cromwell's viewing several forts; his taking the mace from the mayor of Kingsale, and delivering it to colonel Stubber, the governor. That all things were in good condition in Munster, and that Waterford was upon treaty of yielding.

Pembroke. The earl of Pembroke died: his son, who was a member of the house of commons before, continued to sit in the house, now being himself an earl upon the death of his father.

Letters from Jersey, that the prince and the Scots commissioners were upon agreement; that they desired him to go with them into Scotland, but he was advised not to adventure it without good shipping to carry him safe thither.

That the prince sent to Dunkirk for some frigates for Jersey; that he gave commissions to French renegados to take prizes of all English merchants, and to bring them to Jersey: that they took a good ship of Lime.

24. Divers returns of subscriptions to the engagement from several regiments and garrisons.

Scots declaration. There was sent from Scotland and published here the copy of a declaration of the general assembly of Scotland, in answer to that of Montrose, to whom they gave only the title of *James Graham;*

Charging the people of Scotland not to hearken to or join

with him, or draw on themselves the wrath of the most high God, by breach of the covenant and gross backsliding, nor hearken to any of his calumnies and slanders;

Nor countenance or assist any who shall invade that kingdom or raise war therein, under pretence of commission from his majesty, or putting him in the exercise of his royal power, before satisfaction had from him to the just and necessary desire of that kirk and kingdom concerning religion and the covenant.

25. The council of officers ordered that Clarendon and Bowrod parks, in Wilts, should be lands set apart for satisfaction of the contractors, trustees, and officers employed about the sale of the king's lands. King's lands.

Order of the parliament to sit on Saturdays and Mondays for the future, for the speedy despatch of business, and that no private business be heard in the house till the first of March next.

Debate upon the heads of a bill for a new representative, and regulating elections, and about the number of the whole to be elected, and for some particular counties. New representatives.

Debate about the act for the better managing the estates of recusants and delinquents, and a proviso added touching the reserving the chief mansion house of recusants, not having been in arms, from sequestration, and for restraining waste in their timber, and reserving the rights of the lords of the manors to copyhold estates.

Another proviso was added, not to take away the power of the committee for removing delinquent ministers and schoolmasters, with other provisos.

Referred to the committee of Goldsmiths'-hall to take into consideration the business concerning the soldiery, and ministers in Lancashire, that such satisfaction may be given them as may tend to the service of the commonwealth, and to take into consideration the troop of horse in Oxfordshire, and to pay it out of the sequestrations in Oxfordshire, until further order from the house or council of state.

26. Ordered that the lords commissioners of the great seal do take care that writs be issued out, and sent down into every county to the several sheriffs to proclaim the act touching the engagement.

This course of proclaiming new acts of parliament was Acts of parliament proclaimed.

very ancient and constantly used, (especially in elder times,) as appears by the records, but of late disused. I thought fit to have it revived again, that the people might be informed what acts were passed, which they were not so fully by the printing as by proclaiming of them at their markets.

Orders touching the composition of delinquents.

Votes for taking off the additional exercise upon most of the commodities mentioned in the last act touching the excise.

Letters from Ireland of colonel Hewson's taking in some forts near Dublin.

28. Letters that the Scots had no answer from sir George Windram, laird of Liberton, but that the king would be satisfied from him whether his subjects of Scotland would engage to establish him in England as king; that he is not yet removed from Jersey; that divers soldiers came from Ireland into Orkney.

Letters that the states provincial of Holland have resolved to send an agent into England for their better correspondence with the parliament.

Ireland. 29. Letters from Ireland of taking the fort upon the bog of Allan; of a Dutch ship of three hundred tons cast away upon that coast; that the lord-lieutenant had sent to besiege Eniscorfie-castle belonging to Mr. Wallup, a member of the house, which the enemy had lately surprised:

That the lord-lieutenant visited all the English garrisons in Munster, and gave orders to them; that Inchequin was in Kerry; that sixteen of the enemy's horse came from Duncannon to the lord-lieutenant.

30. Letters from Holly-head, that a vessel bound for Londonderry with coals, clothes, and other merchants' goods, was taken by a Scots man-of-war, the mariners and sixteen
440 passengers put on shore, the owner and master carried away prisoners. That the gentlemen and commonalty of Ireland do generally submit to the lord-lieutenant's orders.

From York, that a minister lately informed that there would be shortly a massacre of the well-affected in the nation.

From Shrewsbury, that many cavaliers wear ribands with motto's, *God prosper*. That the ministers encourage them, and preach against the present government.

They report an agreement between the king of Scots and his people of that kingdom upon the terms proposed at the Isle of Wight, and that the presbyterians of England will join. Report.

From Plymouth, that a vessel of Dartmouth was by a storm forced into the Mount's bay, and wrecked, and all lost save one person.

Returns of subscriptions to the engagement.

31. The town of Pool having warned a general sessions to be held, not one justice came to join with them.

The act giving 10*l.* to him that shall apprehend a felon caused the countrymen to apprehend many of the thieves and robbers in all places, and the money was duly paid to them.

February 1649.

1. Divers people took away by violence from the owners, wheat and other corn, carrying to market to Basingstoke, and beat the carters, and some of them being imprisoned for it, the rest brake the prison, and let out them and other malefactors.

Letters from Rome, that there is an agent from England; and the English priests seem very confident that within few years their religion would be established in England. Letters from Rome.

2. At a court-martial in colonel Pride's regiment a soldier was sentenced to run the gantelope, and afterwards to be cashiered, for threatening to cut his fellow-soldiers' throats in case king Charles the Second came in; and for swearing and drunkenness.

Another had the like sentence, having been found to have been in arms against the parliament, and then came in to them, and at his disbanding gave out threatening words against the officers.

The parliament voted that a book written by one Coppe, entitled, *A fiery flying roll*, &c., contained many horrid blasphemies, and damnable and detestable opinions, and that the book, and all copies of it that can be found, shall be burnt by the hands of the hangman.

A petition from Wiltshire for propagation of the gospel, &c., approved by the house, and in order thereto they appointed every Friday to consider of ways for the better advancing the gospel of Christ. Gospel.

An act committed for the better propagating of the gospel in Wales.

Style. The parliament ordered, touching negotiations with foreign princes and states, that the style and title to be used by this parliament in all negotiations shall be, *Parliamentum reipublicæ Angliæ.*

And the style, when any address shall be made to them, *The parliament of the commonwealth of England.*

And no other title to be used.

Order for an act to be brought in for the punishment of incest, profanation of the sabbath, and adultery.

The parliament upon the hearing sir Jacob Garret's business sentenced three of his false accusers to stand in the pillory.

Thus they took upon them and exercised all manner of jurisdiction, and sentenced persons *secundum arbitrium;*

Which was disliked by many lawyers of the house, (whereof I was one,) and we showed them the illegality and breach of liberty in those arbitrary proceedings;

And advised them to refer such matters to the legal proceedings in ordinary courts of justice: but the dominion and power was sweet to some of them, and they were very unwilling to part with it.

Scotland. 4. Letters that Jermyn and other lords and courtiers are hastening from Paris to Breda, hearing that the Scots are sending money to defray the charges of their king and court there.

That the Scots are busy in purging their army, but are startled at the news of the parliament's sending for the lord-lieutenant of Ireland; that they report the ground thereof to be, that he is routed in Ireland, and that the parliament of England fear new troubles. Yet the Scots sent an express into Ireland to know the certainty.

5. Letters of the losses by pirates about Scarborough.

From Weymouth, that one Mr. Thomas May was secured by the governor there, and to be sent up in custody to London, for raising false rumours concerning the parliament and the general.

From Portsmouth, that general Deane came thither with the Phœnix, and informed of several vessels with recruits for Ireland cast away.

Humiliation. An act passed for a day of public humiliation throughout

England and Wales, to seek God for a blessing upon the proceedings of parliament, and their armies in England and Ireland.

Debate about an act for a public register to enrol all deeds, and to find encumbrances upon all estates and lands. Public register.

An additional act passed for removing of obstructions in the sale of the late king's lands, &c.

A petition from Westminster for settling civil government there, referred to the committee for corporations.

Debate of an act for regulating and erecting a corporation in Norfolk concerning the worsted-weavers and yarnmen.

6. Returns of subscriptions to the engagement from several regiments and garrisons.

Letters from Taunton, that the commissioners for settling the militia in that county had agreed upon officers of horse and foot, to be named to the council of state for commissions. That colonel Pine is most active in this and all other business of that country.

At a horserace near Brackley, there being many gallants with pistols, swords, and arms, captain Smith with the Oxfordshire troop came thither, and disarmed some of the chief and most suspected of the company.

The same captain Smith in six months apprehended fifty robbers in those parts: thirty of them were hanged.

Letters from Shrewsbury of the meeting of cavaliers in that county, and suspicions of new plots.

Account of troops and recruits marching towards Chester for Ireland.

8. Letters from Newcastle that the cavaliers report generally that the Scots and their king are agreed, and thereupon many of them are gone into Scotland; that course is taken to prevent them for the future; that the ministers in York- 441
shire preach openly against the engagement; that many moss-troopers are daily taken.

From Yarmouth, that commissions came from the council of state for the militia, which the bailiffs and others are putting in execution, and soldiers list themselves, and take the engagement very willingly; that the like was done in Norwich for that city and for the county of Norfolk: the

like was done in Essex: that the four ships sent to guard the fishers have much advanced the fishing trade.

From Cork, that five ships with soldiers were all cast away coming from Minehead for Ireland, only twenty or thirty men swam to shore:

That the enemy besieged captain Barrington in Arklow-castle, and he sallied out upon them, beat them off, and killed many of them:

That lieutenant-colonel Axtel, governor of Ross, made several incursions into the enemy's quarters in the county of Kilkenny, took many prisoners and great store of cattle.

Account of recruits for Ireland.

Some debauched persons in a tavern, drinking healths in a balcony, breaking glasses, and drawing a great deal of company together, some soldiers who saw it went up to the gentlemen, and carried them away prisoners to Whitehall.

9. Letters from Dunstar, confirming the sad news of the five ships that went from Minehead for Ireland all cast away, captain Ensor and captain Whiting, with eighty horse and a hundred and fifty foot, and all the seamen drowned, except twenty or thirty.

From Ireland, that the popish clergy there have agreed to raise seven thousand men by March next, and to pay them, and that Antrim shall command them.

That the estates of Scotland are setting out a declaration in answer to Montrose's declaration, and conform to that of the kirk.

Henderson. One Henderson proclaimed in several streets of Newark, *I pronounce Charles II, of England, Scotland, France, and Ireland, defender of the faith, &c., as king of England, although his father suffered wrongfully; yet you cannot be governed without a head, but now you are governed by a stinking lousy committee.*

For these words he was apprehended and sent to prison.

A petition to the general and his council of officers in the behalf of three thousand maimed soldiers and widows, whose husbands were slain in the service of the parliament: the general and his council recommended it to colonel Rich to move the house therein.

The council of state sent three of their messengers to ap-

prehend one Mercer, who stabbed two of them that they died immediately, and wounded the third, and so escaped from them.

11. Letters that an Irish frigate boarded a Newcastle ship near Hartlepool, which the governor seeing, caused some of his guns to be so planted that they shot the Irish frigate through and through, and caused her to hasten away, and leave her prize behind, which came in safe to Hartlepool.

From Scotland, that Liberton was returned with a message from the king, which was read, but nothing done upon it; that he speaks high what the king will do for and stand by Scotland, yet they go on in purging the army. Scotland.

That an English merchant having a cause to be pleaded there, the Scots lawyers refused to plead for him, because the business was drawn up in the new way, in the name of the council of state.

About twenty-four persons came in the night to Whitefriars with muskets as soldiers, called up the constable, required him to go along with them to apprehend some dangerous persons, and brought him to the lodging of sir Edward Hales, whom they knew to have a great sum of money there:

That when they came into the house, they bound the constable and sir Edward Hales, and the master of the house broke open trunks, and carried away with them 100*l.*, besides rings, watches, &c.:

Then they locked the doors after them, left their muskets behind them, and got away in boats, which they had laid ready at Whitefriars' stairs; but seven of those thieves were afterwards apprehended.

12. The house named these persons to be of the council of state for the year following, viz.

Earl of Denbigh, lord-chief-justice St. John, sergeant Bradshaw, lord Grey of Groby, major-general Skippon, alderman Pennington, sheriff Wilson, sir William Masham, lord commissioner Whitelocke, sir James Harrington, colonel Hutchinson, Mr. Bond, Mr. Alexander Popham, Mr. Wanton, colonel Purefoy, Mr. Jones, colonel Ludlow, earl of Salisbury, Mr. Luke Robinson, lord-chief-justice Rolle, lord-chief-baron Welde, lieutenant-general Fairfax, lord-lieutenant Cromwell, Mr. Henry Martin, sir Gilbert Pickering, Mr. Stapely, Mr. Heveningham, sir Arthur Haselrigge, Mr. Wallop, sir Henry

Vane, junior, lord L'Isle, sir William Armyne, sir Henry Mildmay, sir William Constable, lord commissioner L'Isle, Mr. Scot, and Mr. Holland.

Some high sheriffs named.

Debate touching means of advancing the gospel of Christ.

An act touching the way of presentations, and settling of ministers in livings, committed.

An additional act for the more severe punishing of profane swearing and cursing, committed.

An act for suppressing and punishing the abominable sins of incest, adultery, and fornication, committed.

13. Letters from the west, that many presbyterians in their pulpits prayed very zealously for restoring the king of Scots to his father's crown in England.

That a French vessel which came from Barbadoes was wrecked, and thirteen of her men lost, and the rest saved.

Academy. Sir Bathazar Gerbier set up his academy in Whitefriars, for the teaching of all manner of arts and sciences: a good design, if the conduct and success had been answerable.

Scotland. 14. Letters from Scotland that their king, in his message by Liberton, would have exempted from any benefit of the agreement all such as shall be found to have had a hand in the death of his father, without mentioning whom, which breeds a general jealousy that it may reach to all that consented to the giving up of his father at Newcastle or joined in the covenant with England.

That the king will only acknowledge the Scots commissioners to be commissioners of parliament during the treaty, or after, as it shall succeed; and private letters were sent from the king to the chancellor and some others.

442 That they talk much of major-general Lambert's marching northwards with seven or eight regiments, but have more cause to be troubled at Montrose and sir Marmaduke Langdale.

15. An account from Chester, that after too long a stay ships are ready at length to carry the money ordered by the council of state to Leimster and the north of Ireland.

That the enemy bend all their strength northward, probably to stress sir Charles Coot, and gain a place of retreat or backdoor for Scotland. That care is taken that way by land, and to send some ships about to that coast.

16. The officers of the army kept a day of humiliation, grounded on the dealings of God with their brethren in Ireland, who though he had made them give a glorious testimony against the bloody enemies, yet hath afflicted them by the death of many worthies. Which chastening of the Lord they did desire to lay to heart, as also that affliction in the miscarriage of some vessels sailing from Minehead, besides the present condition of this nation. Army humiliation.

Upon a petition of three thousand maimed soldiers and widows, resolved that there shall be no abatement of what they have received by way of pension in the stating of their arrears.

The council of officers passed several votes, and appointed a select committee touching the purchase of the late king's lands.

Letters that the earl of Castlehaven was chosen general of the Irish forces; that they intend to cast themselves upon the Spanish interest, and to lay aside Ormond and Inchequin.

18. Letters from Newcastle that the king and the Scots are not like to agree, they being much displeased at his last message, and that divers of the chief of the state and ministers declare their dislike in joining with him, unless he resign up himself wholly to their dispose:

That yet they intend to choose commissioners to go to the king: that they have caused Montrose's declaration to be burnt by the hand of the hangman, and purge malignants out of the army daily: that five hundred more of Montrose's men were landed in Orkney: that more witches were burnt.

From Youghall, that the lord-lieutenant was marched out of that garrison with a thousand horse and a thousand foot: that some ships were cast away upon that coast.

Several resolves of the council of officers touching their security by purchase of the lands of the late king.

19. An act passed for providing a competent maintenance for preaching ministers throughout the nation.

A commission issued out under the great seal to several commissioners in the respective counties, authorizing them to inquire by juries upon oath what benefices are within each county, and the value of them, and which are fit to be united, &c., and to certify their proceedings into the chancery.

The act for suppressing and punishing incest, adultery, and fornication, recommitted.

An act read for settling the fee-farm rents.

The act for relief of creditors recommitted.

Amendments to the act for removing obstructions in the sale of the late king's lands passed and published.

Engagement. 20. The subscriptions of the army to the engagement were by the general returned to the parliament, who upon the general's subscribing of it, as one of the council of state in his own sense, the house voted, that his taking of it in that manner was a taking of it within the late act for subscribing of the engagement.

They likewise ordered that the speaker should send that vote to the general in a letter, and to return to him the hearty thanks of the house for his great care in returning of those subscriptions.

Three soldiers were sentenced at a council of war to go from Whitehall through Holbourn with halters about their necks, and so to Tyburn; one of them to have his right ear nailed to the pillory, the other two to have six lashes apiece.

The offence of the first was for being listed for Ireland, and deserting the employment, and counterfeiting colonel Pride's hand, directed to constables; by colour whereof he pressed two horses, pretending himself to be quartermaster to the party, and then he and his companion running away with the horses.

The offence of the other two was, that after they were listed for the service of the state they run away from their commanders.

Letters from Ireland that the lord-lieutenant in his march to Kilkenny had several forts quitted to him, and at St. Thomas's town the officers were delivered up to him, together with the town, by the soldiers.

21. Letters from Warrington of a great meeting to take the engagement. That thieves armed, and twenty or thirty in a company, pretending themselves to be footsoldiers, break open houses, bind the people, and rob them of all their goods.

From Ireland, that prince Rupert took some rich prizes

from the Londoners, and sent them to Galloway and Limerick.

A little frigate, called the Wandering Cavalier, was taken by the parliament's ships, loaden with arms and ammunition, and brought into Kingsale.

22. Letters that Wogan, the revolted perfidious fellow lately taken, had escaped out of prison, and colonel Phaires, marshal, in whose custody he was, being corrupted by him, went away with him.

23. Letters from Milford-haven of ships driven in thither from the Irish coast by foul weather. That there were four hundred horse of colonel Cromwell's, the lord-lieutenant's son, to be transported to Ireland.

From Weymouth, that they were taking the engagement, and that none refused it, and that they were busy in settling the militia.

From Yarmouth, that the lord-lieutenant had all the seaports in Ireland of any consequence, except only three.

That the regiments are full, the soldiers well recovered, and longing to be abroad against the enemy.

That a small frigate of the parliament's of twelve guns maintained fight with two of the enemy's, one of eighteen, the other of twenty-six guns, and at last run herself on shore, and saved her men, guns, and tackle.

Letters that the heads of houses, fellows, and graduates of the university, and the mayor, aldermen, and common-councilmen of Oxford, had all taken the engagement, and all the officers both of the city and university.

25. Letters from Edinburgh, that both the statesmen and kirkmen are full of jealousy touching their king, that new propositions are drawing, and commissioners choosing, to be sent to him. That more men were landed in Orkney with some cannon and ammunition. Scotland.

That there it was confidently reported from Ireland, that the lords of Clanrickard, Ardes and Armstrong, were marching with eight thousand men near Carrickfergus, and had taken in several garrisons from the parliament. 443

From Berwick, that the king propounds that the lord Argyle, the chancellor, and other the capital statesmen of Scotland, should come in person to treat with him, and that there

should be a general act of oblivion without any exception: but the Scots were against both these propositions.

That colonel Hacker's men had taken more moss-troopers.

From Beaumoris, of one Robinson, sir Timothy Fetherston, and others, pirating at sea on that coast, by commission from the lord of Ormond.

Ireland. Letters, that the army took the field in two bodies: colonel Reynolds, with about sixteen troops of horse and two thousand foot, ordered to march by the way of Carrick, and major-general Ireton to follow with a reserve: that the lord-lieutenant was to march over the Blackwater, with fifteen troops of horse and about three thousand foot: and accordingly they begun their march January 29.

That, two days after, he took the castle of Kilkenny and Cloghern, a strong house belonging to sir Richard Everard, one of the supreme council. From thence he marched to Roghill-castle, which upon summons was rendered; which gives them command far into the country.

That the lord Broghil took in the old castle-town, and a castle of sir Edward Fitz Harris; and that the Irish sent their commissioners to compound for their contribution as far as the walls of Limerick.

That the lord-lieutenant came late in the night, in very tempestuous weather, to Fethard, and got into an old abbey and some cabins and poor houses in the suburbs, from whence he sent a summons to the town; but they shot at the trumpet: and being informed that the lord-lieutenant was with the party, they said, that it was not a fit time to send a summons in the night, and shot angrily at the party; but the lord-lieutenant made not one shot at them again.

In the end, the governor was willing to send two commissioners to treat with the lord-lieutenant, and after one night spent in the treaty the town was delivered the next morning upon terms, which were the more willingly given them, because the lord-lieutenant had but few foot, and no great guns nor ladders, and there were seventeen companies of the Ulster foot within five miles of the town.

The enemy quit it in some disorder, and the sovereign and aldermen have since sent to the lord-lieutenant a petition

desiring that he would protect them: and he hath made them a quarter.

From thence we marched to Callar, hearing that colonel Reynolds was there with his party; and we found that he had fallen upon the enemy's horse and routed them, being about one hundred with his forlorn: he took my lord Ossory's captain-lieutenant, and another lieutenant of horse, prisoners, and one of those that betrayed the garrison of Eniscorfy, whom the lord-lieutenant caused to be hanged.

The enemy had possessed three castles in the town, with about one hundred and twenty men in each of them, and a troop of horse besides in Butler's-castle, which was delivered upon conditions: the other two castles refusing terms, the garrisons were all put to the sword.

From hence colonel Reynolds was sent with his regiment to remove a garrison in the way to Ross, which he did; and the army marched back to Fethard and Cashel, where they had good quarters both for men and horse.

26. An act passed enjoining all papists, and all such who had borne arms and assisted against the parliament, to depart twenty miles from London, and those under restraint five days after their enlargement, with an exception of inhabitants who have compounded.

An act passed for giving further time for subscribing of the engagement, and other directions concerning it.

An act passed for propagating and preaching of the gospel, and for the maintenance of able ministers and schoolmasters in Wales. Gospel.

The like act passed for the four northern counties.

An act for providing maintenance for preaching ministers, and other pious uses, throughout the nation.

Debate in a grand committee of the house upon the heads of a bill for equal representatives and regulating elections.

An act read for the excise of ale and beer brewed in private houses.

27. Letters from Pembroke, that colonel Cromwell and colonel Venables were there, waiting for a wind for Ireland; that the lord-lieutenant was marched towards Limerick, and that Preston was chief leader of the rebels.

From Chester, that two of the soldiers that betrayed

Eniscorfy to the enemy were taken in Werrel, one of them escaped, the other was sent to the gaol.

From Dartmouth, that the engagement was willingly subscribed there.

From Weymouth, that many of prince Rupert's men run away from him to the parliament's fleet.

Returns of the engagement taken by officers and soldiers.

28. A public humiliation and fast was kept this day.

March 1649.

1. The contractors for sale of the late king's land, &c., began to sit and make contracts.

Letters from Portsmouth, that the whole fleet did now ride there at anchor, and that the agents to this state from Spain and Portugal were there ready to go along with the fleet.

2. Letters from Chester, that sir Charles Coot marched towards Belfast, but found no opposition, only a few straggling troops, and that he hath settled that country: and supplies of money and clothes were sent to him by order of the council of state.

From Liverpool, of a tumult by the meaner sort of people at Almskirk against the commissioners of excise, who for many hours together defended themselves with their swords and pistols against the rabble, and kept the inn-door; but at length the governor of Liverpool sent some forces, who dispersed the rioters, and apprehended some of them.

From Portsmouth, of eighteen of the parliament's ships, which set sail from thence to be a convoy to the merchants; that when all the ships meet they are expected to be two hundred sail.

Scotland. From Edinburgh, that the committees of the state and
444 commissioners of the kirk had agreed upon new proposals to be treated upon with the king at Breda, wherein two points were more insisted on than formerly:

1. The king swearing to the solemn league and covenant.

2. That he seclude from him all delinquents.

That six lords, two gentlemen, and three ministers are to go with these new propositions.

That five ships, with arms and ammunition, were landed in Orkney, forerunners of Montrose.

4. Letters from Edinburgh, that their commissioners are ready to go away to the king upon the new propositions, which are in effect the same with the former.

From Liverpool, of divers ships gone from thence with supplies for Ireland; that the tumult against the officers of excise was, by gentle means, and some use of force, fully quieted; that the engagement was there much preached against.

From Shrewsbury, that the ministers preach much against the present government, and to encourage the people to sedition, and to rise for their king. Preachers.

That at the day of the public fast kept in one of their churches, there was another mock fast kept in the other two churches by agreement of the ministers, and two sermons preached in them purposely to disturb the fast enjoined by authority.

5. The parliament passed a list of the captains to command the ships ordered to be set out for this summer's guard, being forty-eight of the states' ships, and twenty-one merchants' ships.

They also passed an act giving power to the council of state and to the admirals at sea to impress seamen for this year's service, if there should be occasion; and if there be not seamen sufficient, volunteers, with provisos not to press masters, gunners, and such as have served an apprenticeship to seamen or watermen. Act for seamen.

Referred to the committee of the navy to consider of some further encouragement to be given to those that shall voluntarily offer themselves to serve the state in their ships, and to present an act to the house for it.

Order for the building of more ships for the service and safety of the commonwealth.

Upon a letter from the mayor of Salisbury, of his seizing some printed books derogating from the Lord's day, and setting up the Jewish sabbath, referred to the committee for plundered ministers to peruse the book, and to state and report the matter of fact to the house, and to bring in an act for the more due observation of the Lord's day.

Order for the commissioners of the great seal to pass pardons of course for several persons convicted at the assizes,

and certified by the judges to be fit objects for the mercy of the parliament.

Debate of a way of supplying the remainder of the money for pay of the army in England and Ireland; about the assessment of 120,000*l.* per mensem; and to avoid free quarter.

Amendments reported to the bill for the sale of fee-farm rents.

Debate of an act of indemnity for tenants and others who in the late wars have expressed their good affections to the parliament, against the oppressions of their ill-affected landlords that have been against the parliament.

Order, that no private business be heard in the house for a month longer.

About this time alderman Rowland Wilson, one of the sheriffs of London, died. He was son of Mr. Rowland Wilson, a wealthy merchant, who lived to see his son in that honourable condition: though but a young man for that employment, yet he was an elder in wisdom and abilities.

He was a gentleman of excellent parts and great piety, of a solid, sober temper and judgment, and very honest and just in all his actions.

He was a member of the house of commons and of the council of state: he had served the parliament as colonel of one of the city regiments, not in training only, but also in the field against the enemy.

He was beloved both in the house, city, and army, and by all that knew him, and his death as much lamented.

The members of parliament and of the council of state, the lord mayor, aldermen, and divers citizens of London, and many officers of the army, were invited and present at his funeral; and the city regiment, (whereof he was colonel,) with other companies of soldiers, were in arms to attend the corpse of their officer to his grave.

Ministers. Letters from Chester of the ministers in that country bitterly exclaiming against the engagement, and condemning all that take it to the pit of hell.

That 11,000*l.* was put on board for Dublin, and 600*l.* for Carrickfergus; from which town the enemy is forty miles, and the country thereabout free from tories.

Engagement. 7. From Exeter, letters of the averseness of the citizens to

the engagement; that on the public fast-day all the ministers went out of town, and caused the church-doors to be shut up, purposely because they would not observe it, being appointed by the parliament; that all the magistrates, except two constables, refused to take the engagement.

From Dartmouth, that twenty-two sail of ships were ready to set out for Newfoundland.

From Taunton, that the public-fast day was not kept there; the two presbyterian ministers of that town being ready to observe the parliament's order for receiving their tithes and augmentations, but not in other matters which they like not; for then they affirm it not to be a free parliament. Taunton.

That a woman pretending to prophesy, with others of her crew, denied Christ and the scripture wholly.

From Pool, that eight good ships went from thence to Newfoundland, and two to Barbadoes.

From Edinburgh, that the Scots had agreed upon their commissioners to go to the king; that first they were to go to Capher, and from thence to send to the king and to the prince of Orange for a safe conduct to come to Breda, and to stay there. Scots.

That they carry with them, for the supply for their king, 40,000 marks, Scots money, that is, 2200*l.* English money; that one thousand arms and twenty cannon are lately landed in Orkney.

An act passed for the advancement of the gospel and of learning in Ireland, and for settling upon the college in Dublin several lands formerly belonging to the archbishop of Dublin and other ecclesiastical persons, and for erecting and maintaining a free-school in Dublin.

Order for an act to abolish the hierarchy in Ireland, and to forbid the use of the Common Prayer Book there.

Debate of an act for restraining the killing of flesh meat or poultry, from 14 March to the 15th of April. 445

Letters that colonel Cook, governor of Wexford, went out with a party, and took in Enniscorfy, formerly betrayed to the enemy, and upon a storm put them to the sword.

8. Letters from Ireland, confirming the retaking of Enniscorfy, and that no enemy appeared to make any opposition in those parts.

Letters to the same effect as before, touching the commissioners agreed upon to go to the king from Scotland.

9. Several orders concerning supplies of money, provisions, and recruits for Ireland.

Ireland. 11. Letters concerning the further successes of the lord-lieutenant in Ireland, since his last taking the field from Youghall; and that at the taking of Castleton by the lord Broghil he gave quarter for life, and their wearing apparel to the private soldiers, but the officers to be at his discretion.

That thereupon, by advice, he caused all those officers to be shot to death, to affright those little castles from so peremptorily standing out.

That colonel Zanchey reduced the castle of Dundrum, where were two troops of horse and some foot of the enemy's: Zanchey's horse charged those without, and the men stormed the town, which was delivered up to him, leaving their horse and arms behind: here Zanchey received a wound in his right hand.

That the enemy scouting into their quarters, and taking a castle seven miles from Cork, colonel Phayer, the governor there, pursued them with sixteen foot and fifty horse unto a bog, where he killed twenty and took thirty of them prisoners, and the castle was surrendered to him.

That they have settled themselves in the heart of the enemy's quarters, and thereby much hinder them from recruiting and gathering together again in the spring, and have gained a very rich country, which by agreement are to give them 1500*l.* per mensem.

From Newcastle, that more moss-troopers are daily taken: that prince Rupert's ships were in much confusion, and many of them taken: that the Scots commissioners are not yet gone to the king, and there is much difference about their going betwixt the kirk and the state: that the forces in Orkney increase daily.

From Beaumoris, that major-general Mitton and other officers, upon intelligence that Ormond had given a commission to colonel Robinson to garrison the isle of Barsey, they sent thither ensign Aspinal with thirty men, who, three days after his landing there, seized upon colonel Gerrard, Mr. Conwey, and six gentlemen more, who landed there to surprise the island, took their boat, and sent them prisoners

to Carnarvan, and the pirate fled away who had set them on shore, and was an Irishman.

12. An act passed for redress of delays, and mischiefs arising by writs of error in several cases.

Amendments reported to the act for relief of creditors, and recommitted.

An act passed for selling the fee-farm rents, heretofore payable to the crown.

Debate about a book lately printed, and voted that the book asserting the observation of the Jewish sabbath, and condemning the observation of the Lord's-day, as the Christian sabbath, is erroneous, scandalous, and profane, contrary to the practice of the apostles and of all the Christian churches. Vote. Sabbath.

Order that all the printed copies of the book be brought in and burnt, and referred to the committee of plundered ministers, to take care for the apprehension and imprisonment of the authors, and for punishment of the printer and publisher of it.

Order to send over six able ministers to preach in Dublin, and they to have 200*l.* per annum apiece out of bishops' and deans' and chapters' lands in Ireland. And in the mean time the lord-lieutenant to take care that it be paid out of the public revenue, and if any of those ministers die in that service in Ireland, that the parliament will make competent provision for their wives and children.

A bill committed for preventing and redress of many injuries done to the merchants of this commonwealth by ships of the French and other nations under pretence of visiting them, and for recalling and inhibiting the mariners and seamen of this nation from serving other princes and states.

An act for the indemnity of tenants well affected to the state.

An act passed for the better packing of butter, and redress of abuses therein.

13. Letters from Chester, that Oneal's army was in great want about Carnarvan. That as soon as supplies should come, sir Charles Coot intended to take the field.

That the plague raged much at Kilkenny. That Inchequin

appeared in a body about Kilmallock, and the lord-lieutenant sent a party to look upon him.

From Exeter, of the commissioners' proceedings in settling the militia there.

From Harwich, that captain Goose of the Hart frigate, and all his officers, being on shore, twenty-eight of the mariners of the ship, who agreed together to betray her to the prince, and to carry her to Dunkirk, took their opportunity when the rest of their fellow seamen were under hatches, and kept them there.

Those under hatches were forty men, who would not join in this treachery, and being now shut in there by the rest, they hoised sail to carry the ship to Dunkirk.

But being off at sea, these twenty-eight fell out among themselves, and seventeen of them took the boat to put out to sea, and were drowned.

The other eleven were not able to carry on the ship, and seeing themselves pursued, put back into Harwich, where they were apprehended and committed to prison.

14. The trustees for sale of the fee-farm rents published their intention to begin the sale of them on a day set by them.

Blasphemy. One Boutholmey, a quartermaster, was tried by a council of war for blasphemy, and sentenced to have his tongue bored through with a hot iron, his sword broken over his head, and to be cashiered the army.

Letters from Ireland of more castles taken in, and that the lord-lieutenant was wholly become master of the county of Tipperary, and was upon his march into the county of Limerick, where he had intelligence that the enemy was embodied, that so he might prevent their joining together.

That the sickness was very hot at Limerick, Kilkenny, and other places.

From Pool, of tumults about the excise, especially at Shafton, where they rescued prisoners, and took away from the officers goods distrained for the excise, but they were quieted by a small party of soldiers sent to them.

446 15. Letters that general Preston was come into Waterford with fifteen hundred men, and that the lord-lieutenant had besieged Kilkenny.

From Liverpool, of tumults about the excise, but quieted.

From Scotland, that the commissioners were upon going to the king, and that sir James Smith had advanced 2000*l.* upon the business, and was one of the commissioners for the treaty at Breda.

16. From Coventry, of the preaching of one Salmon, and of his wicked swearing and uncleanness, which he justified, and others of his way, that it was God which did swear in them, and that it was their liberty to keep company with women for their lust. Blasphemy.

That one Wyke, another of his crew, kissed a soldier three times, and said, "I breathe the Spirit of God into thee," and many the like abominable blasphemies spoken by them; for which they were imprisoned till a trial for the crimes.

18. Letters from Berwick that the Scots parliament had sat, and despatched away their commissioners to the king for the treaty.

From Cork, that the lord-lieutenant published a declaration in answer to certain declarations and acts, framed by the Irish popish prelates and clergy.

Letters that sir Charles Coot had reduced Castledove.

That the plague was hot in Galloway, and many principal actors in the rebellion perished by it.

That the parliament forces took in a fort over-against Passage, whereby the trading by sea to Waterford is wholly stopped up.

That the tories behaved themselves so barbarously towards their own party, that the priests have excommunicated them.

19. Returns of subscriptions to the engagement by divers regiments and garrisons.

An act for establishing an high court of justice in London and Westminster, committed.

An additional act for providing a maintenance for preaching ministers and other pious uses, committed.

Amendments passed to an act for the better preaching of the gospel, and maintenance of ministers in Bristol.

An act passed for settling certain houses upon the corporation for the poor of London, and for money for that work.

An act for constituting commissioners as a standing council for the ordering and regulating of trade, committed.

Amendments to the act of indemnity for tenants who have adhered to the parliament, recommitted.

Petition of the inhabitants of Westminster referred to a committee.

Petition from Arundel, and another from the Cinque Ports, referred to the committee of corporations to consider of their franchises and report them to the house.

Ireland. From Chester, that the rebels in Ireland did blow up some strong castles and quitted them.

That colonel Hewson, with two thousand five hundred foot, and one thousand horse, one demiculverin, and a mortar piece, marched to Bellishanon, where he planted his guns, and after the granados had flown in among them, killing at one time fourteen men, the enemy beat a parley, and delivered up the place. That the lord-lieutenant was before Clonmel, and that the plague was very hot in the Irish quarters.

20. Letters from Ireland, that the lord-lieutenant was before Clonmel.

That the plague, which is seldom known in Ireland, was very hot in Limerick and Kilkenny.

That the mayor of Waterford refused to admit Ormond into that town, saying, that he was the king's lieutenant there. That Ormond and Muskerry were gone away for France. That much contention was amongst the Irish officers, and many of them desired to go and serve the king of Spain, which the Spanish ambassador in Ireland laboured to effect.

That about eighty of the enemy's foot and ten horse of the garrison of Clonmel went forth to fetch in provisions, but were fallen upon by some of the parliament's horse that quartered near the town, who killed twenty-three of them, and took seventeen prisoners, and the horses.

21. Letters from Dublin of the taking of Balishanon, a strong fort and well manned, by colonel Hewson, without the loss of one man.

That there were great differences among the Irish, and between them and the king's party, and among the cavaliers themselves.

From these passages we may observe the contentiousness

of men's natures, and the little quiet to be expected in this world: the English were at variance with the Scots and Irish; the Scots at variance with the English and Irish; the Irish hated both the English and Scots.

The native Irish differed among themselves, rebels from rebels, rebels from the English cavaliers, rebels and English cavaliers there in war against the parliament party.

In Scotland was contention between the kirk party and the state, both were jealous of the king's party, all of them together designing against England.

In England the civil war not fully appeased betwixt the king and parliament; contention among the parliament party between the royalists and republicans, and again between the presbyterians and independents.

22. Letters that prince Rupert was yet at Lisbon, and had with him but six ships, and those not well manned.

Letters of many robberies and wicked actions, and of a butcher of Malton that hanged his wife; and of a woman who burnt two of her children as soon as she was delivered of them.

An account of forces shipped for Ireland.

From Scotland, that the Scots commissioners are gone to Breda; and that the king went from Beauvois to Breda, and parted with the queen his mother, who with Jermyn returned to Paris.

The heads of their propositions to the king were,

That all who continue excommunicate by the kirk may be removed from his person:

That he would declare that he will, by solemn oath under his hand and seal, allow the national covenant of Scotland and the covenant of the three kingdoms, and ratify all acts concerning the covenant, establishing presbyterian government, the Directory of worship, the Confession of Faith, and the Catechism in Scotland, as they are approved by the general assembly of the kirk and by the parliament there:

That he will consent that all matters civil be determined by the present and subsequent parliaments, and all matters ecclesiastical by the ensuing general assembly of the kirk, as was formerly agreed by his late father.

23. The army petitioned the parliament, that such as had articles upon rendition of towns, and paid their compositions, Army petition.

447 and were not engaged in the second war, might not be taken within the late act of delinquents, to remove out of London and Westminster.

Letters that the lord-lieutenant had taken in Clonmel, and slain 2000 of the enemy there, and was marched towards Waterford where Preston commanded.

Scotland. From Edinburgh, that Mr. Douglas, who preached to the Scots parliament at their first meeting, admonished them to avoid the two rocks of the malignant Scylla and sectarian Charybdis; and doomed both malignants and sectaries to be heretical.

That the Scots parliament sat but two days, (as is usual with them,) to confirm what work the cabal had cut out for them, and then adjourned to the fifth of May next.

That the Scots army were about choosing of a committee of themselves to purge the army, but with difficulty it was carried to be referred to the committee of estates, and they referred it to David Lesley.

25. Letters that the Scots commissioners were landed in Holland. That a ship came to Edinburgh from Holland with many German officers, expecting employment there. That the Scots commissioners have commission to take up 300,000*l.* Scots money to gratify the king, in case there be an agreement.

Account of recruits for Ireland, and of proclaiming the act for taking of the engagement at York and at Manchester.

From Milford Haven, that the country thereabouts did unanimously take the engagement; that Mr. Peters opened the matter to them, and did much encourage them to take it.

Votes. 26. The parliament voted, that the concernment of articles relating to the late act for removing delinquents out of London, &c., be referred to the commissioners for articles to do therein according to justice.

An act for empowering commissioners to put in execution all the powers heretofore given to commissioners for compounding with delinquents, and for managing all sequestered estates, and to the committee of Haberdashers'-hall.

Vote, that all who have compounded, and are now beyond sea without leave, their estates shall be sequestered, and the committee of Goldsmiths'-hall to put this vote in execution.

Vote that the estate of sir Christopher Hatton be forthwith sequestered.

Several other votes touching compositions of delinquents.

An act for such as hold the estate of any delinquent by mortgage, judgment, or statute, to compound for the estate, committed.

An act passed for the redemption of captives.

27. An act passed for establishing an high court of justice, and the commissioners' names, any twelve to be of the quorum.

Letters from Towcester of settling the militia in that county.

Letters of a charge given by judge Nicholas, at the assizes at Sarum, in vindication of the proceedings of parliament, and of theirs and the people's power, and the original of it. Judge Nicholas.

One was indicted for saying there was no law, and that a company of rogues had beheaded the king, and therefore there was no law.

The indictment was for scandalous words, and he was found guilty, fined 100*l.*, and imprisoned without bail till the fine was paid.

28. An act passed touching the way of collecting the excise of ale and beer brewed and spent in private families.

The act for erecting the high court of justice proclaimed in Westminster-hall.

Letters that the marquis of Hertford coming from London, in obedience to the late act for removing of delinquents, resided at his house at Netley near Southampton, and the day after he sent to the governor of that garrison to give him notice thereof, and to assure him that he would not give any offence to the garrison.

The governor returned a civil answer to the marquis, and that as long as he continued in a peaceable manner, not any from the garrison should molest his lordship.

From Dover, that an English hoy setting sail from Ostend for London, captain Evans, by commission from the prince, with eight or nine English and Flemings, put themselves into a ship's boat, made up to the hoy, and boarded her about two miles from Ostend, at which the governor shot from the castle at Evans, but could not reach him.

Thereupon he sent fifty soldiers on board a fisherman to

rescue the hoy, who after a little skirmish in Dunkirk road brought away the hoy, and stowed Evans and his company in the hold, upon which two or three French sloops came out from Dunkirk and set upon the Ostenders.

They, because the winds were cross, and the French sloops pursuing them, brought the hoy and prisoners, and delivered them to the governor of Dover-castle, who committed Evans and his fellows to the marshal.

That the same hoy was formerly taken by an Irishman of war under the fort of Ostend, and by the governor's order rescued from them, he saying, that he would not endure such things to be done under his command.

From Pendennis-castle, that colonel Slingsby, prisoner there, was by order of the council of state carried from thence to Exeter, to be tried by the common law, for levying war against the parliament.

An account of recruits shipped for Ireland.

30. From Exeter of the solemn reception of the judges of assize by the magistrates and military officers, and of the conducting them through the several counties by the troops of horse, and of the great respect showed by the soldiery to the civil magistrates.

From Taunton, that the commissioners had settled the militia in that county, colonel Popham a regiment of horse and another of foot, colonel Pine, colonel Ceely, and colonel Gorge, regiments of foot.

From Scotland, that their commissioners gone to the king had power to take up 300,000*l.* Scots, that is, 25,000*l.* sterling, to gratify the king if he agreed with them.

That the kirkmen were generally very zealous for the closing with their king, yet some of them averse to it and praying against it.

April 1650.

1. From Newcastle, that very many cavaliers pass into Scotland, and some of them come out of Norfolk and Suffolk.

Ireland. From Cork, that the lord-lieutenant had taken in all the three counties of Tipperary, Limerick, and Kilkenny, except the three shire towns, and had kept the enemy from drawing together.

That the lord Broghil beat up the quarters of three regiments of Inchequin's horse, most of them English, brought

the officers to Cashel, tried colonel Claydon, colonel Johnson, and lieutenant-colonel Langhern, three of them by a court martial, for betraying their trust, having formerly served the parliament; and they and major Sims were sentenced to die; that three of them were shot to death, and colonel Claydon was pardoned. 448

That the enemy burnt and destroyed the county of Limerick, and drove away the cattle seven or eight miles round the city.

Letters to a great man, that there is no rest to be found in the wisest constitutions and laws of men, until they acknowledge the weakness thereof, and fly to the infallible and all-sufficient wisdom of the scriptures, to rule mankind in the world. The only Magna Charta in this world is the holy scriptures, which give perfect rules for the people's liberties, and for rulers' government and authority, and so guide all judgments that none shall suffer injury. Letters.

That the people will never fix quietly upon any form or way till they are brought to the word of God.

2. A declaration of the lord mayor and aldermen and common-council of London, returning thanks to the parliament for their gift of the new park to the city, and of the houses, and 1000*l.* for the poor, and that they do declare and resolve, (through God's assistance,) with the hazard of their lives and estates, to stand and fall with the parliament against all wicked practices and opposite pretended powers whatsoever. London address.

The speaker, in answer to it, told them, that the house took notice of this their resolution, and of the seasonableness of it; that the house kindly accepted it, and gave them thanks for it. Answer.

Several orders touching the forces and payment of moneys into Weavers'-hall.

An act for adding some of the judges to be commissioners in the high court of justice.

An act for one to make use of a new invention to prevent the great consumption of coal and wood, about lead, iron, copper, saltworks, &c. New invention.

From Dublin, that the lord Broghil and Henry Cromwell fell into the lord Inchequin's quarters, killed one hundred and sixty, and took one hundred and twenty prisoners with the officers, and one hundred and fifty gallant horse. L. Broghil.

That colonel Reynolds fell into the earl of Castlehaven's quarters, routed them, and drove them to a bog.

From Coventry, that Salmon and Wyke, prisoners there, preached every Lord's-day at the grate of the prisons, and very many stood in the streets to hear them.

3. From Portsmouth, that a ship of London of sixteen pieces of ordnance, and her bills of lading from the Straits were of 30,000*l.*, was taken by an Irish man of war near the Isle of Wight, and another vessel in her company run herself on shore, and thereby lost all but the lives of the mariners.

Adamites. 4. A letter sent from the diggers and planters of commons, for universal freedom, to make the earth a common treasury, that every one may enjoy food and raiment freely by his labour upon the earth without paying rents or homage to any fellow-creature of his own kind, that every one may be delivered from the tyranny of the conquering power, and so rise up out of that bondage to enjoy the benefit of his creation.

The letters were to get money to buy food for them, and corn to sow the land which they had digged.

5. From Ireland, that the lord-lieutenant was gone near to Limerick, and that colonel Hewson was marching with near three thousand men to him.

That the Spanish agent had obtained leave of the lord-lieutenant to send to Spain for money, ships, and instructions, for transporting Irish officers and soldiers, who were willing to go into the service of his master.

Ireland. A messenger brought intelligence to the governor of Kingsale, that Macke Carke and O Sulipht were raising forces westward, and that all the priests were gone to them.

That Inchequin for twenty miles burnt and wasted the county of Limerick, and then retreated over the Shanon with more cows than horses; that thereby Kilmallock could get no forage for their horse, and many of them came in to the lord-lieutenant.

That colonel Hewson came to the lord-lieutenant with three thousand five hundred horse and foot, that colonel Reynolds and colonel Ewer's regiments were sent out as a forlorn hope, and discovering the enemy's body, of above three thousand, attempted to fight notwithstanding the disproportion, but they had no mind to it.

That the parliament had there a healthy and gallant army,

all new clothed and well armed, and money in their purses; that they have in Ireland six thousand good horse and eighteen thousand foot.

That Ormond came to Clare with six horse only, and sent propositions to the lord-lieutenant that most of the Irish had left him.

That they have ships to prevent commerce, and sea assistance.

That eight ships were come in from Wales and England loaden with oats, and fifteen thousand yards of cloth, and two thousand pair of boots.

From Cork, that the Scots and Irish are at great difference, and the Irish fly to Connaught as their last refuge, excepting Spain. That the catholics hasten the prince into Scotland to divert the army from Ireland, if they can possibly.

Granger and others, according to the sentence of parliament, lost their ears at the new Palace Yard in Westminster, and at the Old Exchange in London for forging warrants from the committee of the army, and counterfeiting hands to bills of exchange; whereby they procured 3000*l.* to be paid them out of the public treasuries in London and several counties. Forgeries.

The high court of justice sat.

6. From Exeter, that the judges of assize there had much settled the people's minds, as to the present government, in their charges to the grand jury, wherein the lord chief justice Rolles and judge Nicholas were very much commended. Judges.

An account of shipping some troops designed for Ireland.

From Towcester, that the officers and people in that country did generally and cheerfully subscribe the engagement.

From Liscard, that the committee were very active in settling the militia, and the country were ready to come in and be listed.

8. From Chester, that Kilkenny was surrendered upon articles unto the lord-lieutenant; that colonel Hewson, in his return to Dublin, with part of his brigade, took Scarlough the great tory, and divers priests and friars accidentally, and that the lord-lieutenant besieged Cartherlow. Scarborough.

From Scarborough, that the governor having notice of a small man of war belonging to the prince, he got a north sea vessel, and sent captain Lassels with fifty men in her to see

if they could meet with the pirate who lay near to that harbour.

449 That the pirate espying this little vessel at sea came out to her and set upon her, her men having orders to keep close, and not be seen till the word given; and as soon as the pirates were ready to board, the soldiers came forth and fell on them, forced their men, being twenty-nine, under deck, and brought away them and their ship to Scarborough, six of their men and one captain being slain: and all the men in the pirate's ship were papists, and those who had long used this course of piracy.

9. An act and declaration passed for imposing penalties upon such as purchase any crown lands, as original creditors, and pay with assigned or false bills.

An additional act passed for the further ease and relief of poor prisoners.

Orders. Order that the lords commissioners of the great seal take care that all indictments, outlawries, and other acts against any person for adhering to the parliament, remaining upon record, be searched out, taken off the file, cancelled and burnt, as things scandalous and void.

Order that all patents for granting any title of honour to any person after the carrying away of the great seal to Oxford, be annulled and made void.

And that they do not take that title to whom it is granted, nor any presume to give it them, and that the lords commissioners do prepare an act for that purpose.

An act read for laying an imposition upon coals towards the building of ships.

An act read against transportation of gold and bullion out of this nation beyond seas.

An additional act passed for providing maintenance for ministers by augmentations.

Vote, that no merchant or trader beyond seas shall have any place in the custom-house during the time that he tradeth.

That the arms of the king be taken down in all ships, and the generals at sea to see it done.

That the arms of the king be taken down in all churches and chapels, and the justices of peace, churchwardens, and other officers, ordered to see it done.

That the council of state have power to remove from London, and twenty miles distance from thence, all such delinquents whose abode there they shall judge to be dangerous.

An act passed empowering commissioners to put in execution the powers formerly given to the commissioners for compounding with delinquents, the committee of Haberdashers'-hall, &c.

10. An account of transporting forces for Ireland.

Letters that Ormond is desirous to go out of Ireland, and Inchequin to come in to the parliament.

General Blake.

From Lisbon, that general Blake with the parliament's fleet arrived there, and understood that prince Rupert intended to set sail from thence within two days; whereupon Blake sent to the king of Portugal for leave to come into the river of Lisbon, and coming near with his ships, the castle shot at him.

That upon this Blake came to an anchor, and sent a boat to know the reason why they shot at him: the captain of the great castle made answer, that they had no order from the king to let them come in.

That the merchants' ships that came with Blake seeing this, set sail for the Straits.

After this the king sent one of his greatest nobles to congratulate with Blake, and to desire him not to come in except the weather proved bad, whereby he could not ride where he was, it being his majesty's fear that he and prince Rupert would quarrel and fight in his harbour. The king also sent to Blake a large present of fresh provisions for his refreshment.

That the weather beginning to be foul, Blake came into the bay of Wyers in the river, two miles from prince Rupert, whose men came daily from him to Blake, and one of his ships, the Swallow, was coming away, but was discovered, and the boatswain clapped in chains, that the admiral had not above forty seamen in his ship, and very few in the rest of his fleet.

That captain Molton went on shore from Blake to satisfy the king of the falsities of prince Rupert's declaration.

11. A Scots vessel taken by an Irish man-of-war was rescued by a Dutchman.

The commissioners settled the militia in Cornwall.

From Chepstow, that at the assizes was as great an appearance of gentlemen and freeholders as ever was seen in that county.

One tried and found guilty there for poisoning his wife, and was upon his own words greatly suspected to have poisoned his four wives and three children.

Orders issued that every regiment of foot should be recruited to twelve hundred, the colonel's company to be two hundred, the lieutenant-colonel's company one hundred and sixty, the major's one hundred and forty, and the other seven companies to be one hundred apiece.

Scots. 12. From Scotland, that notice being had of their commissioners arriving in Holland, the kirk kept a day of humiliation to seek God for a blessing upon the treaty, and enjoined the like through Scotland.

That many German officers are there expecting employment when the king comes thither.

That Cromwell granting liberty of conscience to the Irish, they will all submit to him.

13. From Dublin, that the governor, colonel Hewson, after he had taken Lawlinbridge, by order marched with a strong party, and met the lord-lieutenant at Gauran, five miles from Kilkenny, and March 19 entered the town without opposition.

Ireland. That the castle stood out, and after a sharp dispute upon one attempt to storm, the common soldiers (that they might have quarter for themselves) delivered up their officers, viz. colonel Hammond, major Townly, two captains, one quartermaster, one lieutenant, and a priest.

March 22. All the officers were shot to death except the lieutenant, who was spared, for that he joined with the soldiers to deliver up the officers, and the priest was hanged; the soldiers that were English took up arms with ours.

Kilkenny. Next day our forces marched towards Kilkenny, and, March 24, were necessitated to attempt a storm to divert the enemy's forces from falling upon a party of ours, who were then attempting another part of the town, called *Irish Town*.

Our men were forced to retreat, but yet the design took effect; for by that means the whole strength of the enemy

was held in play, while our other party gained Irish Town: captain Higly was slain in the attempt, with about seven or eight of our common soldiers.

Then colonel Hewson led on the reserve very gallantly, and received a slight shot; then the town beat a parley, and sent forth commissioners, and after a day's dispute it was agreed,

That they should deliver the town with all the artillery, arms, ammunition, and officers, only they should march a mile out of town with colours flying, matchlight and ball in mouth, and at a mile's end should deliver up all their arms, except one hundred, to defend them from the tories, and one hundred and ninety horse for the officers; the townsmen to have liberty for the three months to go or stay, paying 2000*l.*

There was a good quantity of corn in the public store, with a good number of arms: captain Frewen was unhappily killed by a shot during the treaty, there being no cessation: lieutenant-colonel Axtel is made governor of Kilkenny.

The plague is very hot there, and at Gouran; yet it hath pleased God so to preserve ours, that none of them have perished by it, though frequently quartered in the infected houses.

That Axtel, the new governor, had the command of the storm, and received a shot in the back, which pierced his buff-coat and a little bruised the flesh.

That sir Theophilus Jones, Dr. Jones, colonel Reynolds, and their regiments, with some dragoons and foot, were ordered to attend the earl of Castlehaven, with whom Ferald was to join, but there were great discontents between them.

That the governor, with three troops of horse, returned and marched to Castle Dermont, a great part whereof the enemy had burnt the day before, and betook themselves to a strong tower: the governor caused great store of straw and other combustible materials to be put to the door and set on fire, which caused those within to cry out for mercy; and in the tower were taken captain Sherlock, who had been a bloody tory, and three friars.

That colonel Trevor left the enemy and came to Dublin upon license formerly granted him by the governor, and that

the Irish had chosen the earl of Antrim for their general, colonel Trevor for lieutenant-general of horse, and Hugh Boyoneal for major-general.

A party of our forces from Trym fell into the enemy's quarters, killed some of them, and returned with three hundred cows and forty garrons.

That the lord-lieutenant was quartered in an infected house, and many of his officers and soldiers lay in the sick beds of those that died of the plague, and yet not one of them died of the infection.

The lord-lieutenant returned from Kilkenny to the siege of Clonmel.

15. From Berwick, that in Scotland were great preparations for entertainment of the king.

Witches. That at a little village within two miles, two men and three women were burnt for witches, and nine more were to be burnt, the village consisting but of fourteen families, and there were as many witches.

That twenty more were to be burnt within six miles of that place, and all their goods are forfeited to the king and the lords.

From Ireland, that the lord Broghil went with a party into the county of Limerick, which so terrified the enemy, that they and the inhabitants fled with their goods and cattle over the Shanon into Clare, having set fire on all their houses and castles, so that the parliament's forces were fain to retreat into Tipperary. That the plague was very hot in Kilkenny, Limerick, and other places.

Letters from the lord-lieutenant of the former passages, and that at the storming of Kilkenny they lost thirty men; that it was not performed with the usual courage and success; that they had made two retrenchments or counterworks, strongly palisaded, and both of them did so command the breach that it was a mercy they did not further contend for an entrance there:

That an officer attempting to pass over the bridge into the city to fire the gate, which indeed was done with good resolution, but lying too open to the enemy's shot, he had forty or fifty men killed and wounded: that the castle was exceeding well fortified and capacious.

That he, preparing for a second battery, the enemy seeing himself thus begirt, sent for a treaty, and rendered the town and castle upon articles.

That one lieutenant-colonel, three majors, eight captains, being English, Welsh, and Scotch, with others, were possessed of Cantwell, a strong castle situate in a bog, well furnished with provisions, and were ordered by sir Walter Butler, governor of Kilkenny, to strengthen that garrison.

But they sent two officers to the lord-lieutenant to offer him the place and their service, or that they might have passes to go beyond sea to serve foreign states; which last was consented to.

That colonel Abbot attempted Enisnag, where were gotten a company of rogues who revolted from colonel Jones. The soldiers capitulated for life, and their two officers were hanged for revolting.

That adjutant-general Sadler with two guns reduced some castles in the counties of Tipperary and Kilkenny, then summoned Pulkerry, a garrison under Clonmel, battered it, and they refusing to come out he stormed it, put thirty or forty of them to the sword, and the rest remaining obstinate were fired in the castle.

That he took Ballo Poin, the enemy marching away, and leaving their arms behind them. Upon the like terms he took the Granno and Donkill, considerable places to Waterford.

Complaints for want of money; that the horse have not had one month's pay of five; he earnestly presseth for supplies; that not above two thousand are come to them of the five thousand recruits ordered.

Concerning his coming over into England, he confesseth he received many private intimations of the parliament's pleasure for his coming over, and copies of their votes, but all these were but private intimations; that he received not the speaker's letter till March 22, which was dated Jan. 8, and then supposed the army to be in winter quarters, and the time of the year not suitable for present action: he concludes thus:

Making this as the reason of your command, and your forces having been in action ever since Jan. 29, and your letter, which was to be the rule of my obedience, coming to my hands after our having

been so long in action, with respect had to the reasons you were pleased to use therein;

And having received a letter (signed by yourself) of the 26th of Feb., which mentions not a word of the continuance of your pleasure concerning my coming over; I did only conceive it much consisteth with my duty humbly to beg a positive signification what your will is;

Professing, (as before the Lord,) that I am most ready to obey your commands herein with all alacrity; rejoicing only to be about that work which I am called to by those whom God hath set over me, which I acknowledge to be you; and fearing only in obeying you to disobey you:

451 I most humbly and earnestly beseech you to judge for me, whether your letter doth not naturally allow me the liberty of begging a more clear expression of your command and pleasure, which, when vouchsafed unto me, will find most ready and cheerful observance from, sir,

Your most humble servant,

Carrick, 2 April, 1650. O. CROMWELL.

Directed *To the Speaker.*

16. An act passed empowering commissioners for managing estates under sequestration.

An act passed for the better keeping of the Lord's day.

An act passed for preventing wrongs and abuses done to merchants at sea, and prohibiting mariners from serving foreign princes or states without license; and to empower the council of state to issue commissions under the seal of the admiralty, giving authority to English ships to fight with and take such French or other foreign ships as shall require them to be visited, or disturb them in their trade, under colour of visiting.

Provided, that if they take any foreign vessels, that, after the fight, they shall not kill any persons therein.

A declaration passed upon this act.

An act for general commissions of mark committed.

An act for reducing and bringing in all the moneys and revenues belonging to the commonwealth into one treasury, committed.

Petition. 17. Upon a petition from divers of London, Westminster, &c., the house voted,

That the scope thereof was to bring scandal and reproach upon the just and necessary laws and proceedings of the parliament, and to weaken the present government, to give thereby advantage to the common enemy, and to raise new tumults and troubles in the nation. Vote.

Referred to a committee to examine by whom and by what practices this petition was contrived and promoted.

From Pendennis, that the commissioners settle the militia there; from Scilly, conjectures of a contest there betwixt the English and Irish.

18. From Pool, of a man of war of two hundred tons wrecked upon that coast; that she struck ground about midnight, and could never be got off again; that they fired eight guns, but no help came to them till next day noontide; in the mean time the ship brake in two parts, and all the people which were in that part that fell away were drowned suddenly:

That the other part stood firm above water till the next day about two o'clock in the afternoon, when a gentleman, living near, got a boat, and brought away about sixty men, women, and boys, and saved their lives:

That before they were got to shore, the other part of the ship wherein they were brake to pieces, and sunk down into the sea, and that in all there were drowned about fifty men, women, and children, passengers; and goods, gold, silver, pearl, and rich jewels, to a great value.

From Holland, that Montrose is at Bergen in Norway, staying for some officers and men that he left at Hamburgh; that he hath sent five hundred men to Orkney; that sir John Cockeran hath received some moneys from the king of Poland and from Dantzick for the prince; that general King can procure nothing in Sweden: Montrose.

That the agent sent by Montrose into Livonia, Courland, and Lithuania, is come back with little comfort; that his frigate, with ten guns and forty men, is gone from Gottenburgh to him into Norway:

That nothing is done at the treaty at Breda, the prince of Orange not being yet come thither, and the king's council are unwilling to resolve any thing without him, because they expect his assistance, and to transport them into Scotland.

19. From Exon, five men secured for swearing to each

other to be ready for a rising, to cut the throats of all the parliament's friends, &c.

From Chepstow, of a Scotchman who went about begging, but he went about under that pretence to inform the king's friends that there would be shortly a strong party of Scots in their country to join with them to set up king Charles II.

From Coventry, of the care of the earl of Denbigh and other commissioners for settling the militia of that county, of two regiments of horse and two of foot, besides those of the city, and their being feasted at the city's charge.

Complaint of rudeness of some troopers, and that they fell out, and two or three of them were killed.

From Bristol, of a highwayman that came to the mayor, and confessed that he had been a long time in that wicked course, and was weary of it, and if they would procure him his pardon, he would discover many robbers to them; and accordingly he invited his old companions to go forth with him as formerly, and when they were together he had a party of soldiers ready, who came and apprehended them.

From Chester, that the lord-lieutenant having great offers from Inchequin, is hasted to Limerick, where a hundred die of the plague weekly:

That Hugh O'Neale, chief in Clonmel, offers to yield the place for a sum of money, so that his garrison there may be transported for the Spanish service:

That sir Charles Coot and major-general Venables are marched out with five thousand horse and foot (as is supposed) towards Catherlowe, which is a very strong hold, encompassed with the river Barrowe.

20. Orders for completing of twelve regiments of horse of the army under lieutenant-general Fairfax, eight of them to six hundred in a regiment, and four to eighty in a troop.

Information by colonel Shilborne, come from Ireland, that sir Thomas Armstrong having made his terms to come in, and by agreement being to do some service at his best opportunity, he, with a considerable party of horse that were to come in with him, fell upon a party of the Ulster forces, put near five hundred of them to the sword, and brought away some prisoners.

Thus did thieves and soldiers betray one another; and you

will see more of the same nature hereafter according to the old verse,

Nulla fides pietasque viris qui castra sequuntur.

The lord-lieutenant sent this sir Thomas Armstrong to the governor of Waterford upon some overtures of surrender of the town upon terms; the governor of Duncannon desired twenty days to fit his business to come off the better; the lord-lieutenant suspecting it as a delay would give him but three days only.

For Waterford two points were in difference:

1. For general Preston to have leave to carry away five hundred men for Spain, which the lord-lieutenant inclined to grant.

2. For a church for exercise of public mass, which the lord-lieutenant positively denied.

22. From Berwick, that Montrose and Hurrey are raising a great army to march into England. 452

From Edinburgh, that they are strongly alarmed with intelligence that Hurrey is landed in the Naas with fourteen hundred men, and that Montrose is speedily to follow from Orkney:

That David Lesley is gone out of town, and the Scots horse ordered northward.

From Pendennis, that the commissioners of the militia secured some persons of quality; that a letter was sent to one Courtney with a declaration from major-general Massey, revolted to the prince. Massey.

From Dartmouth, of the people's freely taking the engagement.

From Denbigh, of the death of the archbishop of York and of divers others of quality; that the people willingly took the engagement.

From Cork, that Mac Charty and O Sullivant are eight hundred, and two hundred small horse, called *garrons:*

That the bishop of Cloher was of late in competition for the title of generalissimo, and boasted to bring seven hundred Roman catholics into the field; that both he and Ormond have not above twelve hundred horse and three thousand foot:

That upon the rendition of Cantwell's-court, a place near Kilkenny, exceeding strong by nature and art, twelve offi-

cers of quality came in to the lord-lieutenant, and had leave to embark for Spain:

That the riding of the parliament's ships in the mouth of the Shanon blocks up the Limerick vessels and Duncannon:

That the parliament forces are recovered from a sick and languishing condition, the flux and fever (the two predominant distempers) much abated, and the garrisons kept clear and healthy, through the mercy of God, none having any infection.

For the condition of the army, and what the lord-lieutenant and his officers have brought it unto, (which is a good precedent,) he thus describes:

Our foot are in a gallant posture, well armed, well clothed; and for bread, corn, and other things, plentifully provided for by the state.

Letters. The parliament indeed gave full power to the council of state to take care for supply of their forces; and the council used the greatest care and diligence that possibly could be that nothing might be wanting for the carrying on of the business of Ireland and for the forces there: the letter goes on:

The army's diligence, courage, thankfulness, and behaviour is such, through the strict care and providence of our general and chief officers, that never men did obey orders more cheerfully, nor go upon all duty more courageously.

Never did greater harmony appear or resolution to prosecute this cause of God than in this army; such a consent of hearts and hands, such a sympathy in affection, not only in a carnal but spiritual bond, which lies faster than chains of adamant.

I have often observed (especially in that time and those actions) a wonderful consent of the officers and soldiers, and indeed of all the parliament forces, upon the ground of doing service for God, and how miraculously they were all in their actions successful. The mind of man being satisfied and fixed upon God, and that his undertaking is for God's glory, it gives the greatest courage to those men and prosperity to their actions.

The letter says further,

Our musters are strict; here is no free quarter allowed nor practised; either they pay or give ticket, which being demanded by the poorest Irish, is not, durst not be denied by any officer.

Our horse have in many places wanted hay, but by the supply of oats from England have made good shift with straw; we have seven

thousand horse, and our foot trebles that number, yet are English recruits of moneys and necessaries to be continued.

And by this government of the army in Ireland, and the great success of it, and the well ordering of the civil affairs of that kingdom, Cromwell got a very great interest, not only in the officers of the army, both there and here, but likewise in the parliament and council of state, and with their whole party; only the Scots and presbyterians generally were no favourers of him or his proceedings. Cromwell.

23. An act passed for the better observation of the Lord's day, days of thanksgiving and humiliation.

Order of the trustees appointed by parliament for providing maintenance for ministers and other pious uses, for those who have augmentations to their benefices, to make their claims by a day.

24. From Edinburgh, that sir John Hurrey is come with fourteen hundred men into Cathness, and the rear of his army is to follow from Montrose:

This Hurrey was an officer in the pay and service of the parliament, and revolting from them, he now was an officer under Montrose: he seized a pass.

That major-general Middleton was sent for by the estates: he was likewise an officer in the service and pay of the parliament: he revolted from the parliament, and was now in service in his own country, and backward he was yet to engage in this business, not liking it, and pretending to be ill.

That at Breda all is private; none can tell what is done but the king and the commissioners, all writings being locked up, and guards put upon the clerks.

That the clergy in Scotland have procured strict orders from the commissioners of the estates for the prosecuting of sectaries, and have a great arbitrary power in proceeding against them, and they are purged out of the army as well as malignants. Scots.

25. The trustees for sale of the lands of the late king, &c., gave a day for all debentures to be brought in for the soldiers' arrears, and new debentures to be given them.

Orders of the committee for the accounts of the soldiery touching their arrears.

26. The general and the officers of the army kept a day of Army.

humiliation at Somerset-house, to seek God for a blessing upon the present undertakings of the army.

Petition. A petition to the parliament from the officers of the army in behalf of themselves and the soldiery,

Reciting the engagement of the parliament to satisfy their arrears, and the transferring the security for 600,000*l.* for their arrears from the excise to the lands, parks, &c. of the late king, whereof they hoped to receive the benefit for their past lawful service and future encouragement:

Yet they are informed that a fifth part of the parks are to be allowed for a pretended interest of herbage and pawnage to those who claim custodies of those parks for lives, whereas it were the full value if they had the fee-simple, and nothing is due to them but their fee only: and this course will weaken if not invalid the intended security, as discontent and discourage the soldiery.

453 They pray that no such allowances may be made,

And that the parliament would declare their resolutions herein speedily, before the army marched from hence.

27. From Edinburgh, that Hurrey and Montrose have three thousand men and one thousand more coming in to them, whereupon lieutenant-general Lesley is ordered northward with most of the horse and one thousand four hundred foot, who labours to appease them by his protestations of faithfulness to the king, and persuasion to forbear intestine broils, seeing in a little time the king and they may come to an agreement, and then go jointly against the common enemy, the sectaries of England.

29. From Berwick, that messengers are to be sent to Montrose's party to know their intentions, and if the answer be not satisfactory, then to fight them is the resolution. That Montrose's party raise all the country where they go, from sixteen to sixty.

That the committee of estates have seven thousand foot and thirty troops of horse, which are marched northward.

That one Peter Gordon having notice of a search for delinquents, he being a notable one, took four others with him in a boat and boarded a ship in the harbour, wherein were one thousand two hundred bushels of wheat, and twelve fats of wine, and carried them and the ship to Orkney.

Scots bonds. That the grandees caused subscriptions to be taken in the

way of bonds with conditions to obey the laws, and preserve the peace, &c.

30. Debate upon the petition of the officers of the army, and voted that for fourteen days nothing but public business touching money be taken into consideration.

An act passed for empowering the commissioners for sequestrations to examine upon oath, and to give acquittances for the moneys they shall receive.

An act prohibiting the exportation of coin and bullion into foreign parts committed.

An act for sale of the lands of the lord Deincourt committed.

Debate upon the act against incest, adultery, and fornication.

Vote that the carmen be a distinct company from the woodmongers, subject to the government of the city of London.

May 1650.

1. From Chester, that major-general Venables and sir Charles Coot kept the field, and sir Charles had reduced many small forts near Carrickfergus.

From Dublin, that the Irish have got into a great body near Trym.

From Exon, that most of the late secured gentlemen of Cornwall, upon assurance of their peaceable living at home given under their hands, and a negative engagement not to act anything prejudicial to the present government, are permitted to return to their own houses.

From Dublin, that the parliament's forces had taken in the strong castle of Tully, and lost captain Eriffe and two other officers; that they fell upon Mac Phaileas's quarters, killed near two hundred, lost cornet Puffey; that colonel Reynolds with a brave brigade attends the enemy's motion. Ireland.

That the earl of Castlehaven and lieutenant general Farrel mustered all their forces to a great body; that sir Charles Coot had taken in Inniskilling and some other forts.

From Taunton, that the mayor, who was formerly for the parliament, now refused to take the engagement, was turned out by the corporation, and they chose a new mayor.

From Berkshire, that five drunkards agreed to drink the king's health in their blood, and that each of them should

cut off a piece of his buttock and fry it upon a gridiron; which was done by four of them; of whom one did bleed so exceedingly, that they were fain to send for a chirurgeon, and so were discovered.

That the wife of one of them, hearing that her husband was among them, came to the room, and taking up a pair of tongs, laid about her, and so saved the cutting of her husband's flesh.

2. From Monmouth, of malignants secured, and one of them with a declaration of major-general's Massey's in his pocket, and of proclaiming an act of parliament at the county court by order from the council of state.

From Scilly, that there are seven hundred Irish and fourteen hundred English, and great store of provisions; that sir Richard Greenvil is expected with four thousand men from Cornwall.

That there was a plot by the Irish to cut off the English, which being discovered, one of the Irish officers was shot to death and three sent to Jersey, and English officers put in the head of the Irish.

Proposals. From Dublin, of a meeting of Ormond, Castlehaven, the bishop of Clogher and others; where Ormond proposed, whether they could make up an army fit to engage with Cromwell:

Ireland. If not, whether it were not necessary to draw all their strength into these quarters, and utterly waste them, that they might not be able to subsist:

If they were not able to do that, whether it were not convenient to make propositions of peace for the kingdom:

If not that, then, whether it would not be necessary for every man to make conditions for himself.

The conclusion was, that they would fall into the parliament's quarters, and destroy all, both protestants and papists. But this so distasted the country gentlemen, that they put off the business till another council.

The governor of Dublin sent to colonel Reynolds and sir Theophilus Jones, who have three thousand five hundred men to come to his assistance.

3. From Pendennis, that divers vessels of the Dutch were taken by the Irish men of war and brought into Scilly, which

the Dutch agent could not get released, and therefore the Dutch had commissions to take the Irish ships.

4. From Dublin, that Ormond and his council resolved to fall into the parliament's quarters, and to burn and spoil what they can, but sir Theophilus Jones and colonel Reynolds are upon their march with two thousand horse and three thousand foot towards them, and that notice hereof was sent to sir Charles Coot, who had taken the field with three thousand men.

6. Letters from Edinburgh, that colonel Strachan's, colonel Griffeth's, and part of colonel Ker's forces, with two other troops and sixty foot, fell upon Montrose's party in Ross, routed them, and took five hundred prisoners, among them, Hurrey, Napier, and Fenerick, and slew three hundred. That Montrose himself hardly escaped: they took his horse, pistols, belt, and scabbard, and have sent a party to pursue him. Montrose defeated.

From Barnstable, of troops shipped for Ireland.

7. Upon a report from the committee of the army, voted that two months' pay be provided for the marching army. 454

Upon consideration of drawing the forces this summer (as there may be occasion) into several parts of this nation, and that they may have pay wheresoever they come, and the country be secured from free quarter;

Voted, that there be an assessment towards the maintenance of the forces in England and Ireland for six months, after the rate of 90,000*l.* per mensem for the first three months, and 60,000*l.* per mensem for the last three months.

A declaration passed concerning the compositions of delinquents.

An act enabling grantees of wards' lands to pass their grants under the great seal, and to enjoy their grants, committed.

Order touching the charges upon deans' and chapters' lands for pious uses.

A representation to the parliament from the gentlemen freeholders and inhabitants of the county of Durham, delivered by the grand jury at the assizes, and sent up by the high sheriff to the parliament to this effect: Durham.

1. That the courts of justice amongst them being suspended and removed to Westminster, they cannot sue for any small debt or sum, but the cost exceeded the debt, and suits are multiplied to six hun-

dred writs in one term, and fines and recoveries of their estates are unperfected.

That such an establishment may be had of courts of justice as the parliament shall think fit.

2. That the college and houses of the dean and chapter, being now empty and in decay, may be employed for erecting a college, school, or academy for the benefit of the northern countries, which are so far from the universities.

3. That part of the lands of the dean and chapter near the city may be set out to trustees for pious uses.

Referred to a committee to state this business, and report their opinions touching the desires of the county.

Upon a letter from the aldermen and common-council of Bridgewater, of their removing the mayor, for refusing to take the engagement, and choosing another, the house approved thereof.

8. From Bristol two men were apprehended who were leaders of the countrymen that fell upon colonel Reeves's soldiers quartered near the city.

That a soldier was shot to death for murder.

Of several recruits embarked for Ireland.

From Yarmouth, of settling the militia in Norfolk, four regiments of foot and one of horse; that many of the cavaliers take the engagement.

That the general published orders to be observed for the hospital of Ely-house, where the maimed soldiers were.

Leeds. 9. A petition from the inhabitants of Leeds in Yorkshire against an illegal patent for incorporating that town, desiring it may be vacated.

From Coventry, of the militia of that county settled, of seven hundred horse and twelve hundred foot.

From Towcester, of recruits willingly come in.

From Stafford, of a discovery of a design for an insurrection there upon the advance of the army.

Whereupon colonel Sanders and colonel Twisselden secured the high sheriff and other gentlemen.

10. From Londonderry, that the lord president is marched forth with three thousand foot and twelve hundred horse, by the lord-lieutenant's desire, towards Connaught, but will not be able to make any considerable attempt upon that province for want of shipping to convey his ordnance and

provisions, the ways there being exceeding boggy and mountainous.

Yet this will be gained by marching to the borders of it, (which is the chief thing aimed at by the lord-lieutenant,) that the forces under Clanrickard will not dare to march out of their own country to join with the forces under Castlehaven, or with any brigade of the enemy.

From Edinburgh, that Montrose's forces being grown up to about four thousand horse and foot, and two thousand more expected, they divided themselves into two parties, and so marched out of Cathness into Sutherland, having at first taken the strong castle of Dunheith, which is near encompassed with the sea. Montrose.

In it was taken 1500*l.* sterling and store of provisions: the earl of Sutherland fled, and divers ministers; yet some ministers were taken, and some joined with them.

This hot alarum caused David Lesley to hasten from his rendezvous at Brichen, and to desire the rest of his forces left with Holborn to march up to him: he in the mean while goes on with what he had, and raising as many as he could by the way, came up to about three thousand men.

Montrose sends up a proposal, that he might freely, with as many as would voluntarily join with him, pass into England, and he would engage to do violence to none in his passage.

But lieutenant-colonel Strachan, and the others before mentioned, being many miles before the rest of the army, (though the sectary troops,) ventured to engage the enemy, routed Montrose's whole army, slew about three hundred, took five hundred prisoners, among them Renegado Urrey and other persons of quality.

That the kirkmen a little before vented in public, that the treaty was but a juggling to deceive the godly party, when (as was believed) they had before heard, that the treaty was concluded, with a full coming up to the kirk's demands. Kirk.

Mr. L'loyd, chaplain to the lord-lieutenant, brought letters from him, that he was set down before Clonmel, and his guns planted. That after that business shall be over, he intended to come for England. That two officers, going to view the town, were taken prisoners.

That the enemy in Clonmel are about two thousand foot and one hundred and twenty horse.

11. Letters that Wogan the revolter, with five hundred foot, came to take possession of Bourough-castle, which the lord-lieutenant's forces hearing of, marched towards him, but Wogan quitted the castle, leaving only fourteen men, who upon the approach of the lord-lieutenant's forces yielded upon quarter.

That sir Hardress Waller's forces took Laugher-castle, a considerable fort within six miles of Limerick, and an attempt of his to take Kilmallock prevented by a discovery, but his forces possessed an abbey near the town.

Montrose. 13. From Berwick, that the news of routing of Montrose's forces doth much distract the malignants.

That the committee of estates have given Mr. Strachan 1000*l.* sterling and a gold chain, and to Hacket 1000 marks sterling, and to Kiffin 50*l.*, and to the soldiers engaged in that service three months' pay.

From Holland, that the Scots king went from Breda to the
455 Hague; that the Scots commissioners proclaimed their king at Breda to be king of Scotland, England, and Ireland; and that the agreement was set up there upon posts.

Adultery act. 14. The act passed for suppressing the detestable sins of incest, adultery, and fornication.

H. Martin. Upon which Mr. Henry Martin declared his opinion, that the severity of the punishment by this act, being death, would cause these sins to be more frequently committed, because people would be more cautious in committing them for fear of the punishment, and being undiscovered would be emboldened the more in the commitment of them.

Order for a bill for the maintenance of the ministers in Colchester.

An act passed for securing such sums of money as shall be sent for the service of the navy and army.

Order for colonel Alexander Popham to raise a regiment of horse in Somersetshire, to be a part of the militia of that county, and to be kept together for the public service, and referred to the council of state to grant him a commission.

15. From Chester, that Wexford men have beaten Phelim Birne, killed four of his captains, and one hundred and

twenty of his men, and have taken Fyrnes and Cornow from him.

That the Irish army in Ulster will not fight with sir Charles Coot, but are withdrawn into their quarters. That the Lemster army is retreated over the Shanon, and the lord-lieutenant is master of the field in all places.

From Exon, that in settling the militia in that county, they only appoint captains, and no other officers.

From the Hague, that the king and the Scots commissioners were come from Breda thither, and the treaty between them agreed.

From the Isle of Wight, that a ship of five guns, belonging to sir George Carteret, governor of Jersey, bound for Virginia, with many passengers, all sorts of goods, and tools for husbandry, for planting an island, which the prince had given to sir George, was taken by captain Green and brought in thither.

16. From Litchfield, of one who under the notion of a cavalier addressed himself to divers gentlemen of that country, acquainting them that he had instructions from the king to desire them to sign an engagement which he showed them, and got many of them to subscribe it, then discovered it to the officers of Litchfield, who sent for those gentlemen and made them prisoners. Trepan.

From Taunton, of many volunteers listed for the service of Ireland.

From Hull, that an Irish frigate brought to Amsterdam two great lords who escaped out of Ireland, and reported that the king was undone in his interest there.

That the governor of Hull renewed a proclamation, that no master or owner of any ship coming to Hull, or in the harbour, should receive in any passenger to go beyond seas, or land any coming from beyond seas, without notice given to the governor.

A design was discovered, and the plotters apprehended. It was to seize Pendennis-castle for the prince.

Order for a day of humiliation through the kingdom.

17. Letters that Montrose was taken two or three days after the fight, sixteen miles from the place of the engagement, in a disguise, and sorely wounded.

From Dublin, that the governor was marched out with an

additional strength to join with sir Theophilus Jones and colonel Reynolds, and that they would be about four thousand:

That Castlehaven, Clanrickard, and Mac Thomas were joined in a body, and that a spy numbered with them twenty-five colours of foot, and ten colours of horse:

That Iniskiling was surrendered to sir Charles Coot, according to the agreement: that the Irish army in the north grow strong, and more forces to be sent to sir Charles Coot, who already marcheth with two thousand seven hundred foot, and eleven hundred horse:

That Castlehaven and his party are retreated towards Connaught:

That the parliament's forces in Wicklow have taken Fernes and Carnow, and have killed one hundred and twenty of Mac Phelim's men.

Montrose. 18. From Edinburgh, the particulars of Montrose's defeat, that he had but eleven hundred foot, and no horse, yet with them marched fifty miles into the country, and would not stay for the rest of his forces, nor those who were to join with him, but sent to them to come after:

That he would not keep the hill, where he might have been safe, but marched into the plain campania, where he had neither lanes nor ditches to favour against the horse, in which he knew the other party's strength consisted:

That some conceived that Montrose expected to meet with David Lesley, who had received his propositions for marching into England, and further overtures; and did not expect to have met with Strachan and his sectary troops, who fell on him; and he having no horse was the more easily defeated.

From Newcastle, that sir William Fleming and others were landed at Leith, with letters from the king and the commissioners: that they were agreed of the substantial points, yet with reference in some particulars to a resolution in parliament.

From Ireland, that colonel Reynolds fell upon the earl of Castlehaven, killed twelve hundred of his men, and took as many prisoners; that they were struck with such a panic fear that they made no resistance.

Montrose. 20. From Berwicke, that in Scotland Montrose was sentenced to be quartered, and preparations for his execution,

before they heard from their king, or he from them, lest he should intercede for his pardon.

That the king and their commissioners are unquestionably agreed, but they hold it not fit for him to come thither till they be in a better posture; that they kept a day of thanksgiving, and the ministers prayed exceedingly for the king's coming, as one brought into the kirk, and therefore to God. Scots.

That the duke of Lorrain had promised to assist the king with ten thousand men.

From the Bath, that four wagons came thither laden with sick and maimed soldiers, who had good allowance from the parliament to be there, in hopes of some help by those waters; that a private gentleman near that place sent them 20*l.*

21. An act passed for a day of public humiliation.

An act passed for an assessment for the forces in England and Ireland for six months, at 90,000*l.* per mensem for the first three months, and 60,000*l.* per mensem for the latter three months.

Order that the lords commissioners of the great seal grant a brief for a collection for losses by fire. 456

Order for colonel Bennet to raise a regiment of foot; the like for colonel Hayne.

A letter from the officers at the headquarters to the colonels and governors of the respective regiments and garrisons in England and Wales,

Exhorting them to prayer and to unity, and to join in keeping a day of humiliation set apart to seek God for his assistance to them in all services whereunto they shall be called: and to reform drunkenness, swearing, profanation of the Lord's day, contempt of the ordinances of Christ, and all sins in their several charges, and to sanctify the camp. Army.

Order for an honourable reception of Mynheer Scaph, an agent sent from the States of Holland to the parliament of England.

22. Letters of designs against Pendennis-castle, and the commissioners of the militia being very active, and giving great assistance to them.

23. From Dartmouth, that two Irish pirates chased a merchantman into the harbour, and attempted to board her at noonday, but the governor rescued her.

Law. Certain proposals were agreed upon to be presented to the parliament, at a general meeting of attorneys and officers for the reformation of the proceedings of law, whereby they hoped that the client will be much secured, the creditor and purchaser fully provided for, the charge of suits greatly abated, and the process of law much shortened.

24. From Chester, that Trechohan was quitted and burnt down by the enemy.

From Liverpool, report that Clonmel was taken by storm; and that the countrymen drawn together by the bishop of Cloher were dispersed, and gone home, being not willing to bear arms.

From the leaguer before Clonmel, that they prepared to storm; that all the English under Ormond had submitted to the parliament.

That the enemy had lately two considerable defeats given them, one in the county of Wexford by colonel Cook, who routed the enemy, slew many, and took divers prisoners.

The other in the county of Cork, by the lord Broghil, who slew about seven hundred, and took many prisoners, and totally routed the party.

From Dublin, that they have recovered Drumore and other forts.

25. From Hull, that the engagement was generally taken by the inhabitants of the East Riding.

Suspicion of a plot.

From Coventry, that the country came in so fast to take the engagement, that the commissioners could not give it to all of them.

Scotland. From Edinburgh, that the lord Frendraght, of Montrose's party, after his defeat, for vexation starved himself, and that the lord Kinoul was also starved.

That the presbytery of Orkney and Cathnes had relaxed Montrose of his excommunication.

That sir William Fleming arrived there with a letter to Montrose, to disband about three hundred in Orkney under his bastard brother.

That the commissioners' secretary was arrived with the news of a full agreement with the king.

Ireland. From Bristol, that Clonmel was surrendered to the lord-lieutenant upon articles, that they would have made con-

ditions for Ormond and Inchequin, but were refused; but passes were offered for them to go beyond seas, which they would not take; but the lord Ardes and others of quality took them.

That colonel More and colonel Reynolds besieged Tetrogham.

That the bishop of Ross being taken in the late defeat at Kerny, was hanged before a castle kept by his forces, who thereupon surrendered it. That this bishop was wont to say, there was no way to secure the English, but by hanging them: and now came himself to be hanged.

That in this defeat at Kerny, the lord Broghil slew about seven hundred, and took twenty captains, lieutenants, and other officers, and the standard of the church of Munster, it being a church army.

That the horse did the service before the foot came up, at such a pass, where a hundred musketeers might have beaten back all the horse in Ireland.

Montrose's execution.

27. From Edinburgh, the particulars of the execution of Montrose, that being brought before the parliament the chancellor made a large speech to him, telling him how much formerly he was for the covenant, and how he had since broken it.

He told them,

His cause was good, and that he had not only a commission but particular orders for what he did from his majesty, whom he was engaged to be a servant to, and they also had professed to comply with; and upon that account, however they dealt with him, he would own them to be a parliament.

That if they would take away his life, the world knew he regarded it not. It was a debt that must once be paid, and that he was willing, and did much rejoice that he must go the same way his majesty did. And it was the joy of his heart, not only to do but to suffer for him.

The parliament gave sentence upon him,

That he should be hanged upon a gibbet six ells and a half high, and after he was hanged, his head to be severed from his body, and put upon the Talbooth at Edinburgh; his right hand to be cut off, and sent to Glascow, his left to Aberdeen; his right foot to St. Johnston, and his left to Dundee.

That all the time of his sentence and execution he seemed to be no way altered, but his speech full of composure; when they bid him kneel, he told them he would observe any pos-

ture to manifest his obedience, especially to them who were so near to a conjunction with his majesty: and a minister attending to offer him absolution, he refused it from the minister, but desired him to pray with him; which the minister refused, unless he would take absolution from him.

He himself prayed very zealously, and suffered with great meekness and courage.

From Liverpool, that the engagement is willingly taken; that some powder and match going to some cavaliers was seized upon.

28. A bill for settling the militia of the commonwealth committed.

Order for an act to be brought in, to empower the militia of London to raise horse, another for Westminster, another to be for setting the poor to work throughout the nation.

Ireland. Letters from Clonmel, May 10.

Clonmel. This day we entered Clonmel, which was quit by the enemy the last night, after a tedious storm, which continued four hours. Our men kept close to the breach, which they had entered, all the time, save only one accidental retreat in the storm. We lost in this storm colonel Cullum and some other officers, with divers private soldiers and others wounded.

457 The enemy had made many great preparations within by a traverse or crosswork, and to beat our men off as they entered; but afterwards many of them stole out of the town, and left some few with the inhabitants to make conditions: in the morning our forces pursued and killed all they could light upon.

29. From Newcastle, that the Scots are in daily expectation of their king's landing in some part of the north; that some parliament ships are wafting up and down on that coast under captain Hall.

30. From Clonmel, that colonel Reynolds is waiting upon the motions of Castlehaven with fifteen hundred horse and dragoons:

That they found in Clonmel the stoutest enemy that ever was found by the army in Ireland, and that there was never seen so hot a storm of so long a continuance, and so gallantly defended, neither in England nor Ireland.

From Portsmouth, of a man of war taken with the commission of Charles II.

From Berwick, that the Scots commissioners went beyond their instructions in promising their king assistance against England; that their ministers pray for the confusion of the sectarian army in England; and that their army is marching southwards. Scots.

31. From Coventry, that few or none of the commonalty of that country but had taken the engagement.

From Bristol, that the lord-lieutenant of Ireland was landed there, and that they fired their great guns thrice over at his arrival.

From Guernsey, that major Harrison had besieged the castle, and made one hundred and fifty shot at it.

From Dublin, that colonel Reynolds was sat down before Tecroghan, where colonel Hewson met him; that they made their approaches within pistol-shot of it without the loss of one man: Ireland.

That it is a very strong place, never possessed by the parliament's forces during all the time of the rebellion:

That the titular bishop of Clogher, general of the northern Irish, marching with about three hundred horse and four thousand foot, being faced by one thousand of the parliament's horse, retreated, and many of his men dispersed.

From Scotland, that Montrose would have nothing to do with the kirkmen at the time of his execution, and that the people showed much sorrow and regret at his death: Scotland.

That the Scots parliament invited the king thither, and expect his sudden arrival; that the lord Argyle (late turned royalist) and other lords are so desirous of his coming, that they postpone the church's interest thereto.

The lord-lieutenant of Ireland came to town; he was met on Hounslow-heath by many members of parliament and officers of the army, and at Hyde-park saluted with great guns, and a volley of shot from colonel Barkstead's regiment, and lodged in Whitehall. Cromwell.

June 1650.

1. Great ceremonies and appearances of joy upon the coming of the lord-lieutenant of Ireland to London; most of the persons of quality, the members of parliament, and officers of the army about the town, paid their visits to him, and congratulated the safe arrival of his excellence after so many

dangers both by sea and land, wherein God had preserved him, and the wonderful successes which he had given him.

3. From Edinburgh, that the ministers are earnest in prayer for the king's coming, but so that he may first condescend to all that is propounded; that they are busy in settling officers for his majesty's house, and in purging the army:

That letters came from the king, expressing much sorrow at the report he hears that there is some blood of his good subjects shed of late; but not knowing how it is, desires to understand the business fully: that sir John Urrey and colonel Spotteswood are forthwith to be beheaded.

From Liverpool, that the excise was quietly settled in those parts.

A soldier for swearing and blaspheming, and abusing a poor woman to whom he owed money, was sentenced by the court martial

To ride the wooden horse an hour three days, with a gag in his mouth, to run the gantelope through two companies of foot, to have his sword broken over his head, and to be cashiered the army.

Cromwell. 4. Visits from the lord-lieutenant of Ireland to the lord general Fairfax; and the lord mayor and aldermen of London visited and complimented his excellence.

The lord-lieutenant sat in parliament, and had the hearty thanks of the house for his great and faithful services in Ireland.

Order for letters to the commissioners of the several counties to hasten the collecting of the assessment.

An act passed to empower the militia of London to raise six hundred horse.

An act passed for the better payment of augmentations out of sequestered impropriations and tithes.

An account to the parliament from Mr. Strickland, their agent in Holland, and from Mr. Charles Vane, their agent in Portugal, of their transactions.

From Ireland, of the taking two ships, with five hundred barrels of powder, bound for Limerick:

That this town hath sent two aldermen forth to treat for

its surrender; that Kilmallock, and another strong place, upon the news of Clonmel, were quitted by the enemy.

From Milford, of recruits shipping.

From Chester, that Trecoghan holds out: the castle is much battered, but the place is reputed inaccessible:

That some of the forces from Clonmel are attempting Catherlow; that most of the Irish get to a head near Charlemont; that sir Luke Fitz-Gerald's lady defends Trecoghan.

From Pendennis, that there were two Dutch men of war, with commissions to take such Ostenders, Jerseymen, and Scillymen, and Irishmen, as had taken ships belonging to their state.

5. An order from the general forbidding any soldiers to meddle with matters of title, or holding of possessions.

From Plymouth, of the soldiers keeping a fast-day.

From Denbigh, that the commissioners for propagating the gospel in Wales ejected many malignant and scandalous ministers.

From Southampton, of a malignant Lancashire minister, who being cast out of his living came and preached in those parts, and endeavoured to promote the prince's cause; prophesying of his legal authority, and the glory of it, and that he shall govern this nation with much more glory than his 458
father did, and that a great plague should be this summer.

6. From Weymouth, of a fight at sea close under Portland, informed to be between one of the parliament's ships, laden with ammunition for the fleet at Lisbon, and three Irishmen; but who had the better of it they could not know.

From Coventry, that colonel Pride and his regiment quartering in the town, behaved themselves very civilly and orderly.

From the fleet before Lisbon, of a design by prince Rupert to fire the admiral, by sending a boat with two negroes and an Englishman in Portuguese habit, under pretence to sell provisions to the fleet, and had a device to have fired the ship:

But the Englishman casting out by chance an English word, they were suspected, and apprehended; the Englishman confessed all the business, and that prince Rupert promised him 100*l.* to effect it.

That prince Rupert standing on the shore to see this done, when he perceived it was discovered, and the men apprehended, came to the water-side, where some seamen were filling water, and asked them who they were for; they answered, "For the parliament:" whereupon the prince with his company, calling them dogs, fell on them with swords and pistols, killed two of them, wounded two more, and carried away three of them prisoners, whom they keep in chains, and have killed and taken several other seamen of the parliament's fleet there.

7. From Dublin, that one hundred and twenty of the enemy came to relieve Trecoghan, thinking by stealth to get over a bog; but colonel Hewson having notice of it, sent out a party of horse and foot, who killed sixty of them, and pursued the rest to a bog, where they killed sixteen of them, and took four prisoners:

That the soldiers which were in Clonmel fled to Waterford, and were there denied entrance, only Hugh Boy Oneal and two or three more commanders were admitted:

That the plague is very hot there:

That the parliament's forces in the north recovered Tuum; which was surrendered through the terror of a mortar-piece, that made only two shots, but none of the shells lighted within forty yards of the place.

8. From Edinburgh, that Hamilton, Calandar, Lauderdale, and other lords, are forbid to come into Scotland with the king; that Calandar offered submission to the kirk, but it would not do, and he is to depart the kingdom by a day, under pain of 100,000*l.* Scotch.

Blake. From Portugal, that general Blake had taken five of the king of Portugal's ships, laden with rich commodities from America, and sent word to the king, that unless he will command prince Rupert's fleet out from his river, they will endeavour to seize upon the rest of his fleet coming from America.

Scotland. 10. From Berwick, that the parliament of Scotland sent a letter to their king, expressing their affection to him, and their rejoicing at the happy agreement, desiring him not to be discouraged at some seeming obstacles, as the death of Montrose, &c., they doing nothing therein but to accomplish his interest:

That Hurrey and Spotteswood were beheaded; and an acknowledgment made, that Spotteswood (a bishop's son) was one of those that murdered Dr. Dorislaus in Holland, and that another Scotchman, prisoner now at Edinburgh, was of his company:

That a French marquis landed in the north of Scotland to assist Montrose, not knowing what was become of him; but the marquis was secured, and from him were taken many letters from the king, and from several princes and great men, encouraging him in the business he had undertaken.

From York, of a fast-day kept there by the officers and soldiers, and the like at Newcastle.

From Dublin, that Hewson from before Trecoghan writes that Ormond and all the Irish were drawing down towards them to raise the siege, and he sent for all the horse of these quarters.

General Blake sent a paper to the king of Portugal of the grievances declared to his majesty by the parliament's fleet riding in the bay of Wyers against prince Rupert; which themselves and others of their nation had suffered; and now desire justice.

11. The lord-lieutenant of Ireland gave an account to the house of the whole state of affairs in Ireland, in relation to their own forces in garrison and field, their present employment and settlement, and of the forces of the enemy, and the garrisons yet in their power. Cromwell.

He left Ireton, his deputy in Ireland, to prosecute the parliament's interest there.

The lord Scaph, agent from the States of Holland, had audience with great respect.

An act passed for settling the militia of Westminster in the same manner with that of London.

From Chester, that sir Charles Coot took from the Ulsters two thousand cows:

That sir Thomas Armstrong is come into Dublin with two hundred and fifty horse; that the Lemster army lay before Trecoghan, and they were upon treaty of delivery:

That Ormond and Inchequin were come in, and undertook that they and all the English and British shall join with the parliament's forces against the popish army, and they

take six months to make their peace with the parliament, or to go beyond seas:

That a strong party of the tories came near to Dublin, and took away much cattle.

From Coventry, that a soldier of colonel Pride's regiment was sentenced to be tied neck and heels together, and to be set where the whole regiment should march by him, and to be cashiered, for stealing a hen, and putting it under his coat in his march: which justice pleased the country.

12. A letter from the officers of the general's regiment of foot to their fellow-soldiers, exhorting them to prayer and unity, and full of pertinent and wholesome scripture expressions, and good counsel.

13. From Chester, that the bishop-general Macmoghun, a vicious wicked wretch, is in the head of the northern Irish.

From Newcastle, that in the marches of Scotland they have listed every fourth man; that some of their forces are marched to sea-towns to attend the arrival of their king; that they are much started at the news of the English army's marching northwards:

That they will not believe Cromwell to be come to London; that the kirkmen bid the people not to fear, as the malignants, even so shall all sectaries perish.

The solemn fast kept, the parliament, council of state, general Fairfax, lieutenant-general Cromwell, and the judges, being all together.

459 14. From Edinburgh, that Dalgely of Montrose's party being sentenced to be beheaded, and being brought to the scaffold, ran and kissed the scaffold, and without any speech or ceremony laid down his head on the block, and was presently beheaded.

Scotland. That they recruit their army: that they put it to the vote in parliament, whether they should make any more addresses to the king; and it was carried to send another letter to him, to desire his speedy coming thither, and they will endeavour to set him on his throne; and will pass by those things contrary to his agreement found in the letters about Montrose, if he will now come in and comply with them: and they forbid divers great men to come into Scotland.

From Beaumaris, that sir Thomas Armstrong, the lord

Moore, major-general Oneal, major-general Barry, with divers officers, and two hundred and fifty horse, came into Dublin.

From colonel Reynolds, that few strong places in Ireland remain unreduced. That some of their ministers preach damnation to the parliament's army, and to all that assist them. That the army and garrisons there subscribed the engagement unanimously, so have the magistrates, and generally the inhabitants, though not required to do it. Ireland.

That the enemy taking Toome, Venables was sent to reduce them, which he did; and in the meantime, the enemy got into the woods between his party and sir Charles Coot's, that they could not join. That in their absence many Scotch ministers were sent to debauch the people in those parts of Ireland.

That the enemy are about five thousand foot besides horse, yet dare not fight with a much smaller party of the parliament's forces, who are almost naked and full of sickness for want of clothes. That they secured some Scotch ministers.

15. Letters of a very solemn keeping of the fast-day at Shrewsbury, and of the militia settled in Herefordshire.

Of great perplexities in Scotland by the king's delaying his coming thither; and of Montrose's brother designing to sail with his brother's frigate to Norway: the captain and divers others being on shore, the rest of the mariners brought the ship to Leith, and in it divers papers of consequence, with subscriptions of ministers and lords to the declaration of Montrose.

17. Letter that the levies go on in Scotland, and that the people cry out upon the taxes, and they shall be undone if the English army come into Scotland before theirs be ready. That the ministers do preach against what their commissioners have done.

That the parliament army about York is full of courage and desirous of service.

That in Holland Van Trump commanded out all the men of war to wait on the prince into Scotland.

The parliament had a long debate, and passed several votes about ordering of moneys for the armies in England and Ireland.

18. Several orders about moneys for the navy, and for supplies for them, and for the forces in England and Ireland.

Letters from several garrisons to the officers of the army at the headquarters, in answer to theirs about the fast, and which were full of courage and piety.

19. Letters that the Ulsters, about six thousand in a body, did much spoil in sir Charles Coot's quarters. That the clergy about Chester kept a fast-day rather to pray against than for the parliament and army.

Of recruits ready for Ireland.

That nine hundred in one parish near Liverpool willingly took the engagement.

That divers gentlemen about Exon were secured by the militia there.

That the ministers there refused to publish the act for the fast-day, but the people generally kept it and shut up their shops.

That the lord general's regiment and the train were at Nottingham in their march northwards.

Army. 20. Letters to the officers of the army at the headquarters from some of their fellow-officers and soldiers; and it was strange to see in many of those letters the wonderful zeal and affection of the officers and soldiers to the parliament's service, and with what a spirit of prayer and piety, not usual in camps, they were carried on and encouraged one another.

Letters that Mr. Ayscam, the parliament's agent to the king of Spain, at his first arrival at Madrid, took up his lodging in an inn there the first night; that the next day a more convenient house was provided for him by his steward.

Ayscam murdered. That in the meantime Mr. Ayscam and his interpreter being at dinner in the inn with one footman attending them, six Englishmen, three of them habited as merchants, the other three as soldiers, knocked at the door, and being admitted because they were Englishmen, Mr. Ayscam rose from the table to salute them.

As he saluted them, the foremost laid hold on his hair and stabbed him into the head, whereupon the interpreter endeavoured to escape, but was stabbed in the belly, and they both fell down dead immediately.

The murderers fled for refuge to the Venetian ambassador's house, but he denied them entrance, and then they took sanctuary in the next church.

Mr. Ayscam's papers and goods were secured by the Spanish

secretary of state, and a guard allowed to Mr. Ayscam's secretary till his return for England.

Two troopers sentenced by a court-martial for raunters, and cashiered the army.

21. Letters that five thousand of the Irish were fallen into the county of Derry, to hinder the joining of sir Charles Coot and Venables.

Of an hue and cry sent from the lords commissioners of the great seal after captain Dowglas, and that in search of him another notorious delinquent was found, who leaped out of a window eight foot high, yet was apprehended and sent to prison.

That since the forces went from Dublin to Trecoghan, the tories fell into those parts, and drove away many cows from about Dublin. That a party of eighty of the parliament's horse being sent after the tories to rescue the prey, and dispersed to hunt after them, a party of the enemy's horse fell suddenly upon them and took sixty-four of them prisoners.

That Mr. White, who formerly betrayed the bog of Allen to the rebels, coming from them to Dublin, was met with and killed by the tories.

That the lord deputy Ireton came to the siege of Catherlow, and sent colonel Axtel with eleven hundred horse and foot to Trecoghan. That the lady Fitz-Gerald (whom the soldiers called colonel Mary, she defending Trecoghan) wrote to her husband for supplies, else that she must be forced to surrender upon conditions, and that none in the castle but one doth know her wants. Lady Fitzgerald.

22. Letters of much trouble in Scotland, by reason of the army of English sectaries marching northwards. 460

That one Whitford, another of the assassins of Dr. Dorislaus, was executed in Scotland, as one of Montrose's party.

24. Letters that the king had left Holland, and either was already or would shortly be in Scotland.

That a Holland ship laden with goods for Edinburgh was taken by the parliament's ships and brought to Newcastle. That the Scotch levies proceed apace, and some lords are questioned for having a hand in the invasion of Montrose.

25. Orders touching the forces marching northwards, and about recruits for Ireland, and for widows' maintenance, whose husbands were slain in the parliament's service.

An act passed for continuance of the committee for the army, and treasurers at war.

An act passed for constituting major-general Skippon commander-in-chief of all the forces in London, and the lines of communication.

Acts. The act touching articles of war continued for six months.

Debate of an act for suppressing raunters.

South Wales. An humble acknowledgment to the parliament from the gentlemen and well-affected of South Wales, with thankfulness and profession of their future duty and obedience. And the speaker gave them the hearty thanks of the parliament.

Junta of state. The junta of the council of state with whom Cromwell consulted, having intelligence of the king's resolution for Scotland, and of the levies there made of forces to assist him in his intended invasion of England, whereof they had more than ordinary assurance;

Resolution to invade Scotland. They thought it therefore not prudent to be behindhand with their enemy, nor to be put to an after-game to stay till they should first invade England, but rather to carry the war from their native country into Scotland, who they were sure had resolved in a hostile manner to enter England.

As to the objection that their invading Scotland would be contrary to the covenant, they were satisfied that the covenant was by the Scots broken and dissolved before, and was not now binding betwixt the two nations; and the levying of forces in Scotland, and marching some of them to the borders of England, with the hostile acts done by them formerly, were sufficient grounds for the parliament to provide for the security of themselves and countrymen; the which could not be so effectually done as by carrying the war, which they designed upon us, unto their own doors.

Upon these and many other weighty considerations it was resolved here, that having a formed army well provided and experienced, they would march it forthwith into Scotland to prevent the Scots marching into England, and the miseries accompanying their forces to our countrymen.

Fairfax unsatisfied. The lord general Fairfax being advised with herein, seemed at first to like well of it, but afterwards being hourly persuaded by the presbyterian ministers and his own lady, who was a great patroness of them, he declared himself unsatisfied

that there was a just ground for the parliament of England to send their army to invade Scotland.

But in case the Scots should invade England, then he was forward to engage against them in defence of his own country.

The council of state, somewhat troubled at his excellency's scruples, appointed Cromwell, Lambert, Harrison, St. John and myself, a committee to confer hereupon with Fairfax; and to endeavour to satisfy him of the justice and lawfulness of this undertaking.

The committee met with the lord general Fairfax, and being shut up together in a room in Whitehall they went first to prayer, that God would direct them in this business; and Cromwell began, and most of the committee prayed, after which they discoursed to this effect:

Conference with Fairfax.

Cromwell. My lord general, we are commanded by the council of state to confer with your excellency touching the present design (whereof you have heard some debate in the council) of marching the army under your command into Scotland; and because there seemed to be some hesitation in yourself as to that journey, this committee were appointed to endeavour to give your excellency satisfaction in any doubts of yours which may arise concerning that affair, and the grounds of that resolution of the council for the journey into Scotland.

Lord general. I am very glad of the opportunity of conferring with this committee, where I find so many of my particular friends, as well as of the commonwealth, about this great business of our march into Scotland; wherein I do acknowledge myself not fully satisfied as to the grounds and justice of our invasion upon our brethren of Scotland, and I shall be glad to receive satisfaction therein by you.

Lambert. Will your excellency be pleased to favour us with the particular causes of your dissatisfaction?

Lord general. I shall very freely do it, and I think I need not make to you, or to any that know me, any protestation of the continuance of my duty and affection to the parliament, and my readiness to serve them in any thing wherein my conscience will give me leave.

Harrison. There cannot be more desired nor expected from your excellency.

Whitelocke. No man can doubt of the fidelity and affection of your excellency to the service of the commonwealth; you have given ample testimony thereof, and it will be much for the advantage of

their affairs, if we may be able to give you satisfaction (as I hope we shall) touching the particular points wherein your doubts rise.

St. John. I pray, my lord, be pleased to acquaint us with your particular objections against this journey.

Lord general. My lords, you will give me leave then with all freeness to say to you, that I think it doubtful whether we have a just cause to make an invasion upon Scotland.

With them we are joined in the national league and covenant; and now for us, contrary thereunto, and without sufficient cause given us by them, to enter into their country with an army, and to make war upon them, is that which I cannot see the justice of, nor how we shall be able to justify the lawfulness of it before God or man.

Cromwell. I confess (my lord) that if they have given us no cause to invade them, it will not be justifiable for us to do it; and to make war upon them without a sufficient ground for it will be contrary to that which in conscience we ought to do, and displeasing both to God and good men.

But (my lord) if they have invaded us, as your lordship knows they have done, since the national covenant, and contrary to it in that action of duke Hamilton, which was by order and authority from the parliament of that kingdom, and so the act of the whole nation by their representatives;

461 And if they now give us too much cause of suspicion that they intend another invasion upon us, joining with their king with whom they have made a full agreement, without the assent or privity of this commonwealth, and are very busy at this present in raising forces and money to carry on their design;

If these things are not a sufficient ground and cause for us to endeavour to provide for the safety of our own country, and to prevent the miseries which an invasion of the Scots would bring upon us, I humbly submit it to your excellency's judgment.

That they have formerly invaded us, and brought a war into the bowels of our country, is known to all, wherein God was pleased to bless us with success against them; and that they now intend a new invasion upon us I do as really believe, and have as good intelligence of it, as we can have of any thing that is not yet acted;

Therefore I say, (my lord,) that upon these grounds I think we have a most just cause to begin, or rather to return and requite their hostility first begun upon us, and thereby to free our country (if God shall be pleased to assist us, and I doubt not but he will) from the great misery and calamity of having an army of Scots within our country.

That there will be war between us, I fear is unavoidable. Your

excellency will soon determine whether it be better to have this war in the bowels of another country or of our own, and that it will be in one of them, I think it without scruple.

Lord general. It is probable there will be war between us, but whether we should begin this war, and be on the offensive part, or only stand upon our own defence, is that which I scruple. And although they invaded us under duke Hamilton, who pretended the authority of the parliament then sitting for it, yet their succeeding parliament disowned that engagement, and punished some of the promoters of it.

Whitelocke. Some of the principal men in that engagement of duke Hamilton's, and now in great favour and employment with them, especially in their army since raised, and now almost ready to advance into England; and I believe your excellency will judge it more prudent for us (who have an army under your command ready formed, and experienced soldiers, whom God hath wonderfully prospered under your conduct) to prevent their coming into England, by visiting of them in their own country.

Lord general. If we were assured of their coming with their army into England, I confess it were prudence for us to prevent them, and we are ready to advance into Scotland before they can march into England; but what warrant have we to fall upon them unless we can be assured of their purpose to fall upon us?

Harrison. I think, under favour, there cannot be greater assurance or human probability of the intentions of any state than we have of theirs to invade our country, else what means their present levies of men and money, and their quartering soldiers upon our borders? It is not long since they did the like to us, and we can hardly imagine what other design they can have to employ their forces.

Lord general. Human probabilities are not sufficient grounds to make war upon a neighbour nation, especially our brethren of Scotland, to whom we are engaged in a solemn league and covenant.

St. John. But, my lord, that league and covenant was first broken by themselves, and so dissolved as to us, and the disowning of duke Hamilton's action by their latter parliament cannot acquit the injury done to us before.

Cromwell. I suppose your excellency will be convinced of this clear truth, that we are no longer obliged by the league and covenant which themselves did first break.

Lord general. I am to answer only for my own conscience; and what that yields unto as just and lawful, I shall follow; and what seems to me, or what I doubt, to be otherwise, I must not do.

Whitelocke. Your excellency is upon a very right ground, and our business is to endeavour your satisfaction in those doubts you make. If we shall stay till they first invade us, we shall suffer much misery to come among us, which probably we may prevent by sending first to them; and surely, by the law of nations, if an ally enter in an hostile manner into his neighbour nation, contrary to the alliance, and be beaten out again, that nation thus invaded may lawfully afterwards invade the other, to requite the former wrongs done unto them.

But besides this, we cannot but see their present preparations to be against us; for they are in amity with all others; and their conjunction now with the king's party may plainly enough discover their designs against this commonwealth.

Lord general. I can but say as I said before, that every one must stand or fall by his own conscience; those who are satisfied of the justice of this war may cheerfully proceed in it; those who scruple it, (as I confess I do,) cannot undertake any service in it.

I acknowledge that which hath been said to carry much weight and reason with it, and none can have more power upon me than this committee, nor none be more ready to serve the parliament than myself, in any thing wherein my conscience shall be satisfied: in this it is not; and therefore, that I may be no hinderance to the parliament's designs, I shall willingly lay down my commission, that it may be in their hands to choose some worthier person than myself, and who may upon clear satisfaction of his conscience undertake this business, wherein I desire to be excused.

Cromwell. I am very sorry your lordship should have thoughts of laying down your commission, by which God hath blessed you in the performance of so many eminent services for the parliament. I pray, my lord, consider all your faithful servants, us who are officers, who have served under you, and desire to serve under no other general. It would be a great discouragement to all of us, and a great discouragement to the affairs of the parliament, for our noble general to entertain any thoughts of laying down his commission. I hope your lordship will never give so great an advantage to the public enemy, nor so much dishearten your friends, as to think of laying down your commission.

Lambert. If your excellency should not receive so much satisfaction as to continue your command in the parliament's service, I am very fearful of the mischiefs which might ensue, and the distraction in the public affairs by your laying down your commission; but I hope that which hath been offered unto you by this committee, upon your serious consideration, will so far prevail with your noble and

pious disposition, and with your affection to this cause, wherein we are so deeply engaged, as that you will not (especially at this time) leave your old servants and officers, and the conclusion of the most glorious cause that ever men were engaged in.

Harrison. It is indeed, my lord, the most righteous and the most glorious cause that ever any of this nation appeared in, and now, when we hope that the Lord will give a gracious issue and conclusion to it, for your excellency then to give it over, will sadden the hearts of many of God's people.

Lord general. What would you have me do? As far as my con- 462
science will give way, I am willing to join with you still in the service of the parliament; but where the conscience is not satisfied, none of you (I am sure) will engage in any service; and that is my condition in this; and therefore I must desire to be excused.

Much other discourse passed between the general and the committee to the same purpose as before mentioned, and none of the committee so earnest to persuade the general to continue his commission as Cromwell and the soldiers.

Yet there was cause enough to believe that they did not over much desire it.

This committee made report back to the council of state of the lord general's total averseness to march with the army into Scotland, but that he resolved rather to lay down his commission.

Fairfax lays down his commission.

And the house being made acquainted with it, new endeavours were made to persuade his lordship to continue his command, but in vain; so he was pleased to lay down his commission.

26. An act passed for repealing the ordinance and act whereby the lord Fairfax was appointed commander-in-chief of all the forces of the parliament.

Cromwell made general.

And this being of so great consequence, and which could admit of no delay, it not being safe for the army to be without a head, Cromwell was presently (by contrivance) named to be general and commander-in-chief of all the parliament's forces; and upon the question it was voted, *nemine contradicente*, that he should be general.

An act passed for constituting and appointing Oliver Cromwell, esq., to be captain-general and commander-in-chief of all the forces raised and to be raised by authority of parliament within the commonwealth of England.

All commissions to officers of the army formerly granted were continued till Cromwell should renew or alter them.

Great ceremonies and congratulations of the new general were made to him from all sorts of people, and he went on roundly with his business.

Court martial. A soldier, for drawing his sword in a drunken mood, quarrelling and abusing some townspeople, was by a court martial sentenced to stand an hour in the market-place at Plymouth, to run the gantelope twice through four companies, to have his sword broken over his head, and to be cashiered:

Which was executed, and several other sentences, and one adjudged to death for running away from his colours.

Captain Green, by letters of mark, brought in three French prizes.

Ireland. 27. Letters that the plague rageth much in the Irish quarters, and sweeping away whole towns; that it was also in the English quarters; that in Dublin there died of it two hundred a week.

That the Irish in the north set forth a declaration courting the king and the Scots interest.

Scots. 28. That the Scots mustered their army to four regiments of horse and six regiments of foot; their horse an hundred in a troop, their foot an hundred and twenty in every company: for their new levies they go on slowly, and with much discontent, their intention being, if there shall be occasion, to make of every troop two, and of every company two, for which they have already named officers, and intend for their field army to have eight regiments of horse and twelve regiments of foot:

That some of the Scots horse are already marched towards the borders, and divers other troops are despatching towards Carlisle and Berwick; that colonel Hacker's regiment of horse are quartered in the villages bordering upon Tweed, and resolve to fight the Scots if an inroad be attempted:

That the fortifications at Berwick are repaired, and about thirty pieces of ordnance planted; that the mount upon the seacoast hath ten brass pieces, and commands the river.

29. Letters of recruits shipping for Ireland; that the siege continues at Waterford; that the plague increaseth at Galloway:

Cromwell. That lieutenant-general Cromwell went out of London

towards the north: the news of the parliament's army marching northwards much startled the Scots, who allege the covenant and articles of pacification, that they ought not to be invaded without three months' warning.

Letters came from their parliament directed to the speaker of the house of commons, but the house being adjourned till Tuesday next, nothing could be done upon the letters.

July 1650.

1. Letters that the king landed in Scotland the 16th of June, but so privately, that it was not known till the 24th of June.

That they have levied, to be immediately at the rendezvous, ten thousand foot, and twenty-seven troops of horse, besides their old army, and resolve to invade England, if England do not invade them first.

That two thousand of their foot are about Leith, which is strongly fortified for a reserve.

That the Scots give it out that Cromwell hath a commission to come for Scotland with fire and sword, and is to give no quarter to any Scotchman, and must have all that he can conquer for himself and his soldiers: this they report to incense the people against the English. Scotland.

That some of their friends in England advised them to write to the parliament here, to know whether they intend to come into Scotland, and whether the march of their army northwards be in an offensive or defensive way.

That this they have done, and hope the debate of it will produce some interruption or delay of their march: that the kirk there appointed a general day of humiliation.

2. The parliament published a declaration of the grounds of their army's march northwards.

An act passed for preventing and suppressing the detestable sins of profane cursing and swearing. Act against swearing.

Every lord to pay for the first offence 30*s.*, every baronet and knight 20*s.*, every esquire 10*s.*, every gentleman 6*s.* 8*d.*, every other person 3*s.* 4*d.*, the second offence to be doubled to the tenth, and for that the party to be bound to the good behaviour.

Referred to a committee to consider what public officers

are burdensome to the commonwealth, and how they may be taken away or regulated for the ease of the people.

Order that Mr. Strickland, the parliament's resident in Holland, do take the subscriptions of the English merchants there to the engagements, and such as refuse to be disabled from having any vote in the company.

463 Order that colonel Ludlow be lieutenant-general of the horse in Ireland, and that commissioners be sent over thither with instructions from the parliament.

Letters that the Scots in Ireland contributed to the popish forces.

Letters that the plague was broken out in Shrewsbury.

Fleet. Letters from the fleet before Lisbon, that the Brasil fleet, consisting of nine English ships, and as many Portuguese and French, coming forth, the parliament's generals stopped all the English ships and their lading of passengers and soldiers, and sent another message to the king of Portugal to demand the English ships under prince Rupert; but he and his council answered, that it was an unreasonable demand:

That the English agent there escaped in a disguise to the fleet, but the English merchants at Lisbon, who were friends to the parliament, were imprisoned by the king's order; that they tendered an engagement to the rest of the English to endeavour the reenthroning of king Charles II.

From Barnstable, of a design to destroy all the parliament party in that town and thereabouts, prevented by small means through the mercy of God, was this day celebrated with great solemnity.

4. Letters of a Spanish ambassador landed in the Downs, and of a French man-of-war with some English in her, who took small English vessels near Pool.

Of the treasure wagons going northwards to the army.

Of a vessel laden with iron under sail from Tsalee in Ireland, newly gone out of the harbour, when a party of the lord Broghil's forces coming thither hailed her to come back, but she being under sail regarded them not, but made on her way;

Whereupon twenty of the troopers stripped themselves, making as if they would swim to her and storm her, and two of them, who could swim well, came up to her, which so

amazed those in the vessel, that they hoisted out their boat on the other side of the ship and got away, leaving the ship and her lading to the two valiant troopers.

Of the plague breaking forth near Barnstable.

5. Letters of the lord Willoughby's arrival in Barbadoes, where he lay concealed eight days, until he had contrived his business with some great delinquents there, and then appeared as the chief governor, and proclaimed king Charles II. Barbadoes.

Of the seizing the ships bound for Brasil from Lisbon by the parliament's general at sea, and all the ammunition and provisions in them, and some French ships blocking up that haven.

6. Letters of a message sent from the Scots parliament to major-general Lambert, at the same time when they sent to the English parliament, to know the reason of their army's march northwards, and urging, that by the large treaty no act of hostility or invasion ought to be upon each other, before three months' notice given. Message from the Scots.

That the messenger is detained, (but not under restraint,) without answer, till the pleasure of the parliament be known.

That Cromwell coming to York, the lord mayor, aldermen, and sheriffs attended him, and invited him and his officers to dinner, where they were highly caressed. York.

From Ireland, that the bishop of Clogher interposed between sir Charles Coot and colonel Venables with an army of ten thousand Irish, and caused sir Charles Coot several times to retreat; but at length his forces took such courage that they resolved to fight the bishop; and after an hour's hot dispute it pleased God to deliver that great army into their hands. Ireland victory.

That the bishop their general received many wounds, and, in a few hours after he was taken prisoner, died of them; that their lieutenant-general O'Neal was slain, with their quartermaster-general and nine colonels, inferior officers very many, and three thousand common soldiers.

That the names and qualities of their officers slain and taken were not then known, a messenger being despatched with a general account of the business, till they could have time to particularize; that some of the prisoners confessed,

if they could have given a defeat either to sir Charles Coot or colonel Venables, that the bishop resolved to draw his army into Scotland to promote the king's affairs there.

Scotland.

8. Letters that the Scots king was still at Dundee; that they could not agree about his coming to Edinburgh, nor about his coronation; that commissioners from the parliament, and a committee of the kirk, were with him about signing the propositions.

That a party of the Scots horse were drawn within twenty miles of Berwick, which gave an alarm, and caused the parliament's forces thereabouts to be in a ready posture to receive them; but they came not on.

Letters from sir Charles Coot.

From sir Charles Coot, that his party with him being but six hundred horse and eight hundred foot, he sent to colonel Venables to come and join with him; but the bishop of Clogher with his army, being then about four thousand foot and six hundred horse, fell in between them to hinder their conjunction.

The enemy encamped themselves on a boggy ground within two musket shot of our leaguer, and after about four hours began to draw off with most of their forces over a pass; which I perceiving, called the officers together; and it was thought fit to charge the enemy in the rear with about two hundred horse, keeping our foot and the rest of the horse entire.

Our horse fell on with a great deal of gallantry, and charged through two divisions of their foot; but their horse being quite behind their foot, finding our horse in some disorder, fell on them and forced them to retreat.

Whereupon colonel Richard Coot advancing with part of his regiment to relieve our men, the enemy's horse faced about, and were beaten back again into their main body.

We lost only in this conflict captain Taylor (who died most gallantly in the midst of the rebels' pikes) and seven troopers, but took prisoners a captain of theirs, and killed at least six for one; but they drew off to a pass a mile below. I sent orders to the country people to remove themselves and their goods, and our soldiers secured the passes between them and the enemy.

Colonel Fenwick with one thousand foot came to us, but without any provisions, and it pleased God to give such courage to our soldiers that we marched up towards the enemy, who, upon sight of our party, (they being encamped upon the side of a mountain inaccessible

either for horse or foot,) drew forth into a piece of ground, which though extreme bad, yet it pleased God to put into our hearts to advance towards them;

Where we presently engaged them, and by the blessing of God 464
after an hour's hot dispute, with great resolution on both sides, we wholly routed them.

Many of them were killed upon the place, and the execution was ten or eleven miles every way that night. What numbers were slain I cannot positively say, the country people as well as the soldiers eagerly pursuing and killing them for two days after;

But, with modesty, I may assure you, there cannot be less than two thousand slain, together with their major-general, five colonels, one bishop, with almost all their officers, and their lieutenant-general Offarrel, as we are informed, though his body be not yet discovered.

They lost likewise their arms, colours, baggage, with most of their horse.

Since my writing thus far, I have received several letters from one party in the pursuit, that they have killed six or seven hundred more of the rebels; that major King with fifty dragoons had taken the bishop of Clogher prisoner, much wounded, with several other persons of quality, and two hundred horse, and have killed two or three hundred more of the enemy, so that I do verily believe there were at least in all three thousand killed.

Those officers of ours that were most eminently instrumental in this great victory, were colonel Fenwick, coloned Richard Coot, lieutenant-colonel Gore, and captain Duckinfield:

Whom I have presumed to add, because their merits have justly deserved this my acknowledgment, to the end (if your honours think fit) some mark of honour may be conferred upon them.

9. The parliament ordered a day of public thanksgiving for the victory obtained by their forces under sir Charles Coot in Ireland.

An act passed for the trial of sir John Stowell, David Jenkins, Walter Slingesby, Brown Bushell, William Davenant, and C. Gerrard, by an high court of justice. High court of justice.

Letters of the ceasing of the plague about Tiverton.

10. Letters of the spreading of the plague in Shrewsbury; that the governor commanded all the soldiers that were ill to be in the field, and all that were well to continue in the castle, and not to stir out of it. Plague.

From Chester, that the parliament's forces in Ireland are

forty thousand horse and foot; that Trecoghan with seventeen hundred foot is taken in.

11. Letters that the royal presbyterians about Exon raised many false reports to disparage the proceedings of parliament; for which some of them were secured till they should produce their author.

That the plague was much dispersed in Salop, and half the inhabitants removed from thence.

12. Letters that since the taking of Trecoghan, the army was sat down before Carlowe in Ireland:

And that the earl of Antrim was come in to the lord deputy:

That eight officers of colonel Axtel's regiment, riding upon the highway, were murdered by those bloody highway rogues called *the tories:*

That a party sent out by the lord deputy fell on some of the earl of Castlehaven's forces, killed one hundred and forty of them, and took twice so many arms; the rest fled to Carlowe, where they are now besieged:

That Waterford yet holds out, but in great distress, the plague and famine increasing much upon them.

13. Letters of Cromwell's being at Durham, and marching twenty-four hours a day.

That the king was at St. Johnston, and the committee of estates had sent back all his followers, and commanded them to depart the kingdom by a day upon great penalties.

That the Scots horse upon the borders were there only to forward the new levies, and are since retreated, and the new levies go on very fast there.

That sir Arthur Haslerigge came from Newcastle, where he is governor, to meet the general Cromwell at Durham. That seven ships were taken and brought into Newcastle, one laden with arms and ammunition for Scotland, and in another of them two purses, to carry the great seal of Scotland, one very rich for the day of the coronation; and many letters from an alderman of London at the Hague to the king.

That one of the parliament's ships going into the firth of Scotland, the people rose and secured both ship and men till they drunk the king's health upon their knees, and then they were discharged.

15. Letters of the general's coming to Newcastle, where sir Arthur Haslerigge the governor entertained him with much gallantry, and they kept a fast to pray for a blessing upon their expedition into Scotland. The next day they agreed upon a letter to be sent to their brethren in Scotland in general, to satisfy them of the grounds of their present engagement. Cromwell.

That the Scots have chosen a council, by whose advice the king is to govern. That the nobility and gentry flock to him.

That the royalists and presbyterians in Lancashire join to-togethe to disturb the parliament's affairs in those parts against the army of sectaries, as they call it.

16. An act passed for settling the militia of the commonwealth, with instructions for the commissioners.

An act passed for sheriffs to appoint deputies to receive and transmit the acts, orders, and directions of parliament and council of state, and to make return thereof.

Debate of the business of treasurer of the navy.

An act for bringing down the prices of corn and grain, and preventing abuses in meal, and in forestalling, committed.

17. The letter from the parliament of Scotland, together with the messenger, colonel Grey, were sent to the general, to be by him with a sufficient guard sent into Scotland, and also the answer of the parliament of England to that letter.

18. An act passed touching the removal of malignants and papists out of London, &c.

Letters of the great levies in Scotland, and multitudes drunk with carousing the king's health. That the ministers press the people to serve the king against the English army of sectaries, which they prophesied the Lord would blast; and published many gross mistakes or untruths touching the parliament of England, their affairs, particularly in Ireland.

That the king had given satisfaction to the Scots in all things they desired of him; and a proclamation was published at Edinburgh, giving the king all his regal power, and at that time the cross was covered with crimson velvet and cloth of tissue.

Dr. Lewen, a civilian, being apprehended for a spy, and having found about him divers commissions from the prince 465

to himself and others, was executed, according to a sentence of the court martial.

19. Letters of a man of war of Scilly brought in prize to Plymouth.

Adultery act. Of colonel Desborough's giving the charge at the sessions at Exon to the contentment of the country, and of a woman of Taunton condemned upon the new act for adultery with a priest.

Scots. 20. Letters of the general's advance to Berwick; of the army's declaration sent into Scotland, of the grounds of their march into that kingdom: one copy of it sent to the Scots general, another to the parliament, and a third to the committee of estates:

That the Scots ministers in their prayers say, that if God will not deliver them from the sectaries, he shall not be their God:

That the town of Newcastle feasted the general and his officers:

That the lord-deputy lies with the army before Waterford, Duncannon, and Carlowe.

22. Letters, that many who formerly served the parlialiament of England in their army are now in the Scots army:

That the earl of Newcastle and some others were sent away out of Scotland:

That Massey is to command a regiment in their army:

That an act passed in Scotland for all persons to come into their armies, and none to stay in the countries, lest they should relieve the English army:

That general Leven published a proclamation, that no malignant should come near his army till they had submitted to the parliament.

An act passed and several orders touching the militia of London and Westminster.

An act passed against atheistical, blasphemous, and execrable opinions, and the unlawful meetings of such persons.

A declaration passed concerning delinquents' compositions.

An act passed to prohibit trade between this commonwealth and Scotland.

Upon a report from the council of state, the parliament

approved what they had done in causing those of the earl of Derby's family in Lancashire to be seized and secured, and a message sent to the earl, that if he did continue his harsh usage of the prisoners he had of the parliament party, they would do the like to his family here; and to demand the release of those prisoners.

Of recruits shipped for Ireland.

That eight hundred of the Scots horse lay upon the borders, and the rest of their forces were about Edinburgh; that the general was come to Morpeth.

23. New commissioners named for the excise.

Letters of a rendezvous of the Scots army at Haddington, and that one of the parliament's declarations concerning their army's advance for Scotland was brought to the king whilst he was at dinner; that Cromwell's trumpet was sent with the declarations of the parliament and army into Scotland.

24. Letters, of one man and two women about Boston committed for witches; that the man confessed he had a familiar sucked him at some paps which he then showed; that he had signed a writing to the devil to deny God and Jesus Christ, and the familiar drew blood from those paps, and appeared to him in the shape of a white chicken;

That he signed the devil's covenant with a piece of a stick, with the same mark he now made at the bottom of his examination; that both the women confessed the like;

That captain Allen took a ship, with seven thousand arms, bound for Scotland.

25. Letters, that some troopers having taken three Scotsmen and their horses, the general having notice that they were countrymen, checked the soldiers for meddling with them, commanded their moneys and horses to be restored, and gave them some of the last declarations to the people of Scotland to carry home with them.

26. Letters, that the ministers in the west generally preach up the Scots interest:

That the Fairfax frigate fought with three French men of war, and thrice beat off the assailants who had boarded her, and came safe to Plymouth, but much shattered, and many men killed:

Of the increase of the plague in Shrewsbury:

That major-general Desborough visited Taunton, and all

the garrisons from Weymouth to Pendennis-castle, and put them in a posture of defence:

Scotland. That the militia of the Isle of Wight unanimously declared to engage against the king, and against all Scots and French:

Of the rendezvous of the army with loud acclamations of joy and love to their general and to one another:

That they were all drawn into battalia, and marched two or three hundred paces; then were discharged, and went to their quarters, and the general to Berwick:

That his trumpet returned from Scotland with a letter from that parliament, directed to lieutenant-general Cromwell, commander-in-chief of the army marching into Scotland, purporting that they had received his letter, and would suddenly send an answer by a messenger of their own.

27. A captain-lieutenant, by sentence of the court martial, was cashiered at the head of the regiment for drunkenness.

Letters, that the Scots were all gone with their goods towards Edinburgh, by command of the states of Scotland, upon pain of being sequestered and declared enemies, if they did not remove; so that for the most part all the men were gone:

But the wives stayed behind, and some of them did bake and brew, to provide bread and drink for the English army; that those employed by the state of Scotland upon the borders tell the people, that the English army intends to put all men to the sword, and to thrust hot irons through the women's breasts; which much terrified them, till the general's proclamations were published among them:

That the Scots did forbear coming to the market at Berwick.

29. A trumpeter came from Scotland to the English army, with a declaration in answer to the parliament's and army's declarations, which in effect was a defiance: that upon the army's entering of Scotland the Scots fired their beacons.

Blasphemy. A dragooner was sentenced by the court martial to be bored through the tongue with a hot iron for blaspheming the name of God in a drunken humour.

Proclamation. The general published a proclamation through the army, reciting,

That several soldiers had straggled from their colours, and enforced victuals from the Scots without paying for them, and frighted some of the people from their habitations:

He commands all officers and soldiers of his army, that none do go without leave to straggle half a mile from their quarters on pain of death. 466

Letters, that the king of Portugal sent to the parliament's general at sea for a treaty; but in the mean time exercised great cruelty towards the English merchants, and published a proclamation, that none should conceal an Englishman on pain of death: Portugal.

That sir John Culpepper arrived in Russia, ambassador for the king about the English trade, and that the emperor and his council ordered banishment for the merchants, prohibiting them trade for the future, and granted to the ambassador 50,000*l.* in rich commodities to be employed for the king: Russia.

That the prince of Orange had blocked up the chief passages to Amsterdam, and pretended treason in some burgomasters, as endeavouring to dissolve the union. They afterwards paid a considerable sum of money, and so that business was concluded. Amsterdam.

30. Order of the parliament to lay aside all private business for a fortnight, and no matter to be in debate but for money and other public affairs.

Several persons added to the bill for sale of delinquents' estates.

Divers pardons passed of course upon certificates of the judges of assize.

Letters, of the decrease of the plague in Ireland; that Inchequin's recruits of new levied men were about three thousand, and that the lord deputy was gone out to fight them: Ireland.

That colonel Ingoldsby with three troops of horse charged three thousand horse and foot of the Irish, routed and killed nine hundred of them near Limerick; that there is abundance of corn upon the ground, a sheep, good and fat, at the price of 6*s.*, and a cow for 20*s.*:

That the governor of Carlowe sent to the lord deputy to desire a treaty for surrender of the town:

That the lord general at the rendezvous made a speech at the head of the army, declaring the grounds of the present expedition, and something in relation to his coming over from Ireland, and the Providence that had designed the command to him, and exhorted the soldiers to go on faith- Cromwell.

fully and resolutely, and not to doubt of the blessing of God upon their undertakings and present service:

That the soldiers entertained his speech with great acclamations; and orders being given for the army to march, they went on shouting as they entered Scotland:

That the general rode through a great town of Scotland, and there was not a man to be found in it, only two poor women, because of the command of the estates of Scotland.

31. Letters, that upon the parliament's army entering Scotland they fired their beacons, and carried away all provisions; so that the army was forced to lie still, expecting provisions to be brought to them by their ships:

General Lesley. That a trumpet brought a declaration from lieutenant-general Lesley, with a letter directed to lieutenant-general Cromwell, which was thereupon refused to be opened, but sent back:

That major Barber laid down his commission upon their entering Scotland.

The general published a proclamation:

Proclamation. That whereas he had lately caused a proclamation to be published, inviting those in Scotland, (where the army shall come,) who by their counsels or otherwise have not confederated against the peace of England, or laid a foundation of a second invasion of England, to stay in their houses, where they in peace should enjoy what they have without the least offer of violence or injury by any of the army:

He doth strictly require all officers and soldiers, that they presume not to offer any manner of violence or injury to the person or goods of any in Scotland not in arms, or belonging to the enemy's army.

To be proclaimed at the head of each regiment of horse by sound of trumpet, and of each regiment of foot by beat of drum, and to be afterwards read at the head of each troop and company.

Barbadoes. From Barbadoes, of trouble there by a design to banish the independents, but opposed by lieutenant-colonel Drax, and some others that had the governor of their part: and their design was discovered by lieutenant-colonel Codrington, one of the council of the island, when he was drunk. That colonel Walrond and Muddiford joined against the independents.

August 1650.

1. One who had been a cruel plundering soldier of the king's party was now condemned at the assizes at Northampton for breaking a man's house in 1644, and stealing and carrying away the man of the house and eight horses.

Letters of great refractoriness in the ministers about Exon, who refused to read the act for the thanksgiving.

2. Letters that the Scots have completed their levies to thirty-six thousand men:

That the plague was broken out in Minehead.

3. Letters that the general and his army were advanced to Haddington, within twelve miles of Edinburgh; and that the van of both armies were within six miles of each other:

That a new regiment was formed for colonel Monk, who commands them:

That the Scots army did far exceed the English in number, Scotland.
and resolved to meet them at Musselburgh:

That in their march from Berwick to Edinburgh the army did not meet with ten men:

That one of the parliament's soldiers chased ten Scots, and divers of them were taken prisoners.

5. Letters, that after the parliament's army was come from Dunbar, the Scots country people rose up in arms, and cut off provisions coming to them from Northumberland:

That major-general Lambert faced Edinburgh with fifteen hundred horse, and major Hains had the forlorn, and faced the enemy's whole body within three quarters of a mile of their trenches:

That in all their march they saw not one Scotsman under sixty years of age, nor any Scots youth above six years of age, and a very few women and children:

They are all fled from their habitations upon their ministers telling them that the English would cut the throats of all between sixty and sixteen years old, cut off the right hands of all the youths under sixteen and above six years old, burn the women's breasts with hot irons, and destroy all before them:

That as the army marched through some towns, poor women fell on their knees, begging that they would not burn 467
their breasts before they destroyed them, and children beg-

ging to save their lives, the people believing what their ministers said unto them:

That all their goods and household stuff were carried away, except a few oats and meal, and a little beer hid under coals, which the soldiers made use of.

That the general drew up the whole army before Edinburgh, and beat the enemy from king Arthur's Hill, within a mile of Edinburgh, and possessed it and a church between Leith and Edinburgh, and some houses within twice musket-shot of the enemy's trenches;

Yet they would not draw out of their trenches, though they were more in number within them than the army without.

That the general intended to have made an attempt upon them, but there fell so great a rain, which continued all night and part of the next day, that he was forced to draw off his army to Musselburgh to refresh his wearied soldiers, who had nothing but bread and water for six days before.

As they drew off, the Scots sallied out and fell upon the rearguard, and put them to some distress, but Lambert and Whaley relieved them, and beat back the Scots into their trenches; Lambert was wounded in the charge with a lance, and captain Gladman; but they took two colours, and divers prisoners of the enemy, and the king stood upon the castle and saw the encounter.

That the next morning major-general Strachan drew out the kirk's troops, consisting of one thousand five hundred horse completely armed, and having all lances, pistols, and swords, and about three o'clock in the morning lighted upon a party of the army without discovery, and cried, *Give no quarter, but kill all.*

This so enraged the English soldiers, that presently they fell upon the front and rear of the Scots, killed, wounded, and took about three hundred of them: major-general Montgomery and Strachan were slain, and divers other officers and soldiers, and many officers, and eighty troopers taken prisoners.

That the English soldiers were the more incensed, because the Scots refused to give quarter to one captain Phineas, a Worcestershire gentleman, whom notwithstanding they brought off.

That many in the Scots party were English cavaliers, and some of them cried, *God damn me,* as they fell down dead.

That two ministers were in the Scots party, one of them taken prisoner, and the Scots soldiers confessed that the ministers did most stir them up to cruelty.

6. The act passed for advancement of trade, and manufactures, and commissioners appointed to be a standing council of trade.

An act passed prohibiting all trade between England and Scotland, and the enjoining the departure of Scotsmen out of this commonwealth.

An act published concerning mortgages, extents, and other encumbrances upon delinquents' estates.

Letters of the prince of Orange's failing in his design against Amsterdam. Amsterdam.

7. Letters that the town of Amsterdam drowned the country about them, and after seven days' siege the prince of Orange was forced to draw off his army.

8. Letters of vessels taken at sea by the parliament's frigates.

From the navy before Lisbon, that a squadron of their ships going to victual at Cadiz, the duke of Modena feasted the captain, captain Bodilo, and furnished the ships with all necessaries, and desired their stay for three days, whilst he might signify the matter to the king of Spain, whereupon the king of Portugal sent to the English generals for a treaty. Spain.

9. Letters that the lord deputy was before Waterford and Duncannon, where the plague and hunger did much rage.

That the ministers, who preached at the assizes in the west before the judges, inveighed against the proceedings of the parliament.

10. Letters that both the English army and the Scots likewise were in want of provisions.

That in the last encounter with major-general Strachan, two hundred of his party were slain, and one hundred and nine of his troopers taken prisoners, and sixty countrymen; that the parliament's forces had but six killed, and about forty wounded, who were sent by sea with a chirurgeon to Berwick.

That the general sent the chief officers of the Scots, who Scotland.

were wounded and taken, in his own coach to Edinburgh, and the rest in wagons, and took paroles of others.

That the king sent out a proclamation requiring all gentlemen to depart Edinburgh, in regard of the scarcity of provisions.

12. Letters that the Scots sent out a great party of horse and foot, and the general sent out a party to attend their motion, lest they should go for England.

That by reason of the great storms, the ships with provisions from London could not come up to the army, so that they were in great straits.

The general and army sent a reply to the Scots answer to the declaration of the army, and their insinuating letter to the under-officers and soldiers of the English army was fully answered in a letter from the general.

13. An act passed for explaining a former act touching the fee-farm rents.

An act passed against atheistical, blasphemous, and execrable opinions.

Several votes passed by way of instructions to the commissioners of Goldsmiths'-hall and Haberdashers'-hall.

That captain Wyer, with one of the States' ships of twenty-two guns, being commanded to convoy four ships of Hull, was set upon by six Irish frigates, fought with them twelve hours after the four Hull merchants' ships were run away, and came off from them, though much torn, with the loss of one man.

14. Letters of prizes taken at sea from the French.

15. Sentences by a court martial, of soldiers for mutiny and misdemeanours.

Letters of a rich ship of Hull taken by the Irish and Scots ships.

That the plague was decreased in Ireland.

That Charlemont sent to sir Charles Coot to treat, but he denied it.

That the general's coach and wagons sent with the Scots prisoners to Edinburgh were not permitted to come into the town, because they had not buried their dead, but they sent horses for their wounded men to Arthur's Hill, and sent back the coach and wagons.

That ten Scots prisoners were taken by colonel Okey. That the army retreated to Dunbar, to meet and take in their provisions brought thither by sea.

Upon colonel Hacker's approach to a house where a party of Scots were, they quitted it, and Hacker had in it store of meal and provisions.

That the city of Coventry raised a regiment of one thou- 468
sand one hundred of the choicest citizens for their militia.

16. Letters that colonel Ingoldsby with a few of his Ireland.
dragoons fell upon a great party of the enemy that came out of Limerick to plunder, killed about twenty of them, and pursued the rest to the gates of the city:

That a party from the camp before Carlowe fell upon a party of the enemy's horse, took about forty horse, but the men fled to bogs and escaped:

That colonel Phayers took in the castle of Kilmorry, which was surrendered to him upon quarter for life, and in it were eighty-two private soldiers, besides officers:

That Limerick desired some conditions of neutrality, but colonel Ingoldsby denied them:

That captain Mildmay had a sharp fight with one frigate against three French men of war, and took one of them, who had sixteen guns, whereof four were brass.

17. Letters that the army at Dunbar received their tents Scotland.
and provisions from the ships; and two days were spent in exhortations to the army, and in seeking God for his blessing upon their action, and then they again advanced towards Edinburgh:

That colonel Andrews, a lawyer, sometimes of the king's party, was sentenced by the high court of justice to death.

19. Letters that a trumpet came to the army from lieutenant-general Lesley, with an answer from the commissioners of the general assembly to the general's last letter.

Execution of the sentence of a court martial upon five soldiers for offering violence to a countryman and his wife and family and goods.

That the inhabitants of Dunbar were in such want of pro- Scotland.
visions, that they picked the beans from the horses off the ground, and eat the sheep's guts which were thrown away by the soldiers.

That the countrymen are so enslaved to their lords, that

they cannot get any thing considerable of their own beforehand, and many of their women are so sluttish, that they do not wash their linen above once a month, nor their hands and faces above once a year.

The general caused the commissioners to distribute a great proportion of peas and wheat, to the value of 240*l.*, of that which was sent from London to the army, among the poor people of Dunbar; yet when they can have an advantage, the country people robbed and killed many of the soldiers:

That upon the army's return to Musselburgh they found it more forlorn than before, Lesley having commanded that the gude women of the town should awe come away with their gear, and not any stay to brew or bake for the English army, on pain of death:

That the ministers in Edinburgh gave God thanks for turning back the army of sectaries by the way that they came, and striking a terror into their hearts, which made them flee when none pursued:

That captain Bull with the Adventure frigate fought with a French man of war, and sunk her; some of her men saved upon quarter; about one hundred and twenty of them killed and drowned.

20. An act passed for continuing the excise for three years longer.

High court of justice. An act passed for authorizing commissioners of the high court of justice to issue their warrant for beheading of Mr. Andrews, according to his petition to the parliament; and the like in other cases, notwithstanding their sentence for hanging, drawing, and quartering.

Power of naming fellows and demies in Magdalen college in Oxford ordered to be left to the then president.

Scots. Letters that the army's returning to Musselburgh, the Scots ministers were ashamed of their thanksgiving for their running away:

That provisions and tents were distributed to the horse and foot. Divers Scots killed and taken at meeting of several parties.

That a Dutch ship laden with goods worth 50,000*l.* was wrecked near Pembroke:

That the grand jury at Hereford assizes presented a remonstrance to the judges, of their readiness to assist the parliament against the Scots.

21. Letters that major-general Langhern in Wales, and other gentlemen there, and in other places, were secured upon suspicion of designs by them against the parliament.

22. Letters of some fights at sea between the parliament's frigates and some French men of war, who were soundly beaten.

Mr. Euseby Andrews was beheaded at the Tower-hill, according to the sentence of the high court of justice, and died very resolutely.

23. Letters that the army marched from Musselburgh towards Edinburgh, in sight of the city for two or three miles together, and had no opposition in their march, nor so much as a salute from Edinburgh-castle or Dalkeith, and the general pitched his tents on Pentland-hills, a convenient place to fight, within view of Edinburgh, but they gave no alarm to the army. That the Scots in Edinburgh were much straitened for provisions by the army's thus getting behind them:

That all the people fled with their bairns and guds where the army came, being told by their ministers that the English would destroy all with fire and sword, and when some of the soldiers burnt some furze-bushes, they said they fired their houses and towns:

That the parliament's ships attended the army's march with provisions:

That a trumpet came to the general with a declaration and letters from lieutenant-general David Lesley, which the general caused to be read to his officers in the hearing of the trumpet:

That upon desire and safeconduct of some of the Scots officers, they and some English officers had conferences about a reconcilement, and the Scots officers said they were deluded by the malignants, and that the king refused to sign the disowning of his father's actions, and to adhere to the covenant, and repent for the bloodshed by his father and himself, and that they had thoughts of relinquishing him: Scots officers.

That when the English army drew off from Edinburgh, the king would have sallied out in person upon them, but general Leven told him if he did so he would lay down his commission.

24. Letters that the plague increased, and that there died the last week seven hundred and ninety-seven in Dublin.

That in Wexford the people are almost all dead of the plague:

That Waterford, Duncannon, and Carlowe are surrendered to the lord deputy. That many officers and soldiers were dead of it.

26. Letters of taking in and fortifying some places by the general, to secure passes to the army:

That a sergeant was hanged on Pentland-hills for plundering a countryman's house, and three soldiers that were with him, being sentenced to die, were pardoned by the general:

469 That parties on both sides pickering, and a body of three
Cromwell. thousand horse of the Scots being drawn out, Cromwell drew out a forlorn, and went in person before them; that one of the enemy fired a carabine at him, upon which Cromwell called to him, and said to him, that if he had been one of his soldiers he would have cashiered him for firing at such a distance, which the soldier told to lieutenant-general Lesley, and said he knew it was Cromwell:

That some runaways from the army were apprehended at Berwick, and sent back prisoners to Cromwell, and nine of them were condemned by a court martial:

That the Scots drew out their whole army out of Leith, being about thirty thousand horse and foot, and retreated without any engagement:

That in a full council of war, all the officers were unanimously to fall upon the enemy. That in pickering a Scots captain was killed and two prisoners taken.

Ireland. 27. Letters that the lord deputy sent a summons to Waterford to surrender; but they so much despised the weakness and small number of his forces before the town, that in answer to his summons they returned, that one of their gates should be set open for as many of his men as would come in:

That the lord deputy, smiling at their vain brags, went on with his siege, sent for more forces and great guns, and so laid the main body of his army between Waterford and Carlowe, that they might be ready to give assistance to either party:

That after this the town sent for a treaty, but insisted upon high terms of punctilios of honour, which the lord deputy rejected: and when they heard that Carlowe was

surrendered, then they also agreed upon articles of surrender:

That seven hundred soldiers marched out of the town, and the townsmen in arms were more, and the town very strongly fortified, and full of provisions; yet it pleased God to bring them to terms of surrender to a small party before them, as they had before done at Carlowe.

The lord deputy sent a letter to the parliament of the particulars, and copies of the several articles of surrender of Waterford, Duncannon, and Cartelagh.

The parliament ordered a day of thanksgiving to be kept for those successes.

An act passed empowering the commissioners of the high court of justice to hear and determine any misprision or concealment of treason.

28. An answer passed to the king's declaration in Scotland.

Letters that the Fairfax frigate fought with three French men of war, who got so near the shore among the rocks that the Fairfax could not follow them, and so they escaped.

29. The council of state took order for better securing of Weymouth.

Letters of the decrease of the plague at Dublin.

That major Blunt fell upon a party of the enemy in Wicklowe, fought with them, killed and took many of them, though they were two to one, and had not a bog prevented they had been all killed or taken. That he brought away with him two hundred cows and one hundred and twenty horses.

That Charlemont was surrendered upon conditions.

30. Letters that the army in Scotland was well supplied with provisions by sea, and enabled to lie near Edinburgh: Scotland.

That the enemy kept close between Edinburgh and Leith, having a trench before them, and a river behind them, and a strong castle on the one hand and a strong garrison town on the other hand; and it was impossible to fall upon them without the apparent hazard of the whole army:

That the king had signed the declaration sent to him by the parliament of Scotland, who thereupon closed with him, and undertook to maintain his interest, as they say they are obliged to do by the solemn league and covenant:

That the declaration which they penned, and sent to the king to sign, and he at last did sign, was to this effect:

An acknowledgment of the providence of God, in recovering him from the snare of evil counsellors, and persuading him of the justice of the covenant which he hath taken and subscribed, and resolved to maintain to the utmost: he professeth his father's blood, and confesseth his mother's idolatry, and saith he will account them enemies that oppose the covenant.

He declares his sorrow for his great sinfulness in making peace with the Irish rebels, and allowing them the liberty of the popish religion, and that he being sorry for his seeking to such unlawful help, and recalling his commissions, he is therefrom absolved, and saith he will recall and disannul all commissions given against any who adhere to the covenant and monarchical government.

And that the commissions he hath granted to the French and others, by sea and land, were not given to damage or injure any of his harmless subjects, who follow the trade of merchandise; and that he construes well of the intentions of those who have consulted and acted against the covenant, yet he will not now employ them, till they have taken the covenant and given sufficient evidence of their good affection to the work of reformation.

As a close, again taking notice of his former guiltiness and ill-successes, he tells them that the state of the question is now altered, and that he hath obtained mercy to be on God's side, and therefore hopes that the Lord will countenance his cause; that for the future he will do nothing but by advice of the kirk and state.

After several times denial by the king to sign this declaration, and the Scots threatening thereupon to cast him off, he, seeing no other way left, did at last subscribe it.

31. Letters that the army stormed Red-castle, a garrison of the enemy's, about a mile and a half from Edinburgh, which had about eighty foot to defend it; and though they stormed it in the sight of the enemy's whole army, yet they sent out no parties to relieve it. There were taken sixty prisoners, and the place was of great advantage to the English.

That Dunster-castle was slighted.

Call from God.

That four men out of Somersetshire, pretending to have an immediate call from God to go and preach the gospel in Galilee, sold their estates, and went to London to embark themselves for that place.

September 1650.

2. Letters that propositions and motives were presented to

the pope on the behalf of king Charles the Second, showing his good inclinations to the catholics, by what he had done in Ireland for them, and in other instances; and desiring from his holiness considerable sums of money out of his treasury, and that he would send to all princes and states of the catholic religion in Europe to contribute to the assistance of king Charles, with several other the like proposals, and a copy of them enclosed in the letters. 1650

3. Letters that prince Rupert came out of the river of Lisbon with twenty-seven ships and twenty carvils. Fleet.

That the parliament's generals with twenty-three ships made up to him, and some shot were spent between some of them, but prince Rupert got under the command of the castles, and the parliament's general thought not safe to pursue him thither: the like was done several days after, but the prince would not engage in fight.

That the duke of York came to Paris, having gotten 100,000*l.* by prizes.

4. Letters of a great pirate taken about Dartmouth.

I invited the speaker, and divers members of the parliament and council of state, to dine with me.

5. Letters of the plague increasing in Shrewsbury, yet of about two hundred soldiers there not one was infected.

6. Letters that the Scots army, though more in number than the English by a great many, and well furnished with arms, and all accommodations in their own country, yet will not fight the English army. Scots.

That in those parts where the army marched was the greatest plenty of corn that they ever saw, and not one fallow field, and now extremely trodden down and wasted, and the soldiers enforced to give the wheat to their horses.

That the Scots desired another conference with some officers of the English army, to which the general consented, but nothing came of it.

That the Scots army drew out upon a march, and the English army drew out to attend them, but could not engage them by reason of a bog and great ditch between the two armies, only they discharged their great guns at one another, by which twenty-one of the English were killed and wounded, but more of the Scots, who would not come into any other

ground to engage, and the army stood all night in battalia, and the next day went back to their camp on Pentland-hills.

That being informed the Scots had sent out a party to take in Musselburgh, and the places for landing the provisions that came to the army by sea,

Cromwell. Cromwell gave orders for the army to march, which they did in a most tempestuous night, and to fight for their victuals; but by reason of the storm and darkness, the general stayed their march till the next morning, when they got quietly to Musselburgh, but the enemy got what they had left on Pentland-hills.

That the parliament lost six men, and twenty-eight were wounded.

That whole files of the Scots army were taken away by the great shot, and from the ships they played upon the Scots army as they marched, and did execution.

Victory at Dunbar. 7. Letters from Cromwell to the speaker and to the council of state, of a great victory against the Scots at Dunbar; the particulars were not then certified, but left to the relation of the messenger, who was an eyewitness of the action.

I was going in my coach towards Chelsea, and about Charing Cross the messenger who came from Scotland came to my coach side, and said to me, "O my lord, God hath appeared gloriously for us in Scotland; a glorious day, my lord, at Dunbar in Scotland!"

I asked him how it was. He said, that the general and army had routed all the Scots army, but that he could not stay to tell me the particulars, being in haste to go to the house.

I altered my resolution of going to Chelsea, and went presently to the house, where I found the messenger, and as soon as the house was sat he was called in, and after the general's letters were read, the messenger (who was in the fight) made his narrative to this effect:

My lord general having a long while stayed with the army on the west side of Edinburgh, and could no way engage the enemy to fight, on Saturday, August 31st, marched with the army to Haddington, and on Sunday to Dunbar; the enemy hereupon drew out after us, and marched within distance in the rear.

The general on Sunday drew out the army in the field near Dun-

bar, and the enemy flanked us upon the hills on the right hand, where they lay all night; we could not without great disadvantage go up the hills to engage them, nor would they come down to engage us.

Their whole army consisted of eighteen regiments of foot, which all together, with their horse and dragoons, (as themselves said,) were twenty-seven thousand, ours about twelve thousand.

On Monday the enemy drew down part of their army and their train towards the foot of the hill, ours stood in battalia in the field all the day; a great ditch was between both armies, of great disadvantage to those who should first attempt to pass it.

That night our army marched as close to the ditch as possibly they could, and our fieldpieces placed in every regiment. We drew out before day that morning a brigade of three regiments of horse and two regiments of foot towards a pass that is upon the roadway between Dunbar and Berwick, by which we might with more ease pass over to their army, and there gave the enemy a hot alarm.

The dispute lasted about an hour, at last our men gained the ground, and possessed the pass. Then the enemy's horse (being most lanciers) coming down the hill charged strongly, ours receiving them as gallantly.

And the foot of that brigade coming up charged them so to purpose, that they put them suddenly to the rout: by this time it was between five and six in the morning.

Their foot seeing the rout and the flying of the horse, threw down their arms and run away; their left wing of horse also fled, ours had the pursuit of them beyond Haddington.

We killed on the place and in the pursuit above four thousand, and ten thousand prisoners taken; among them the laird of Liberton, lieutenant-general James Lundsden, colonel sir William Douglas, the lord Grandison, sir Jo. Brown, colonel Gordon, twelve lieutenant-colonels, six majors, thirty-seven captains, seventy-five lieutenants, seventeen cornets, two quartermasters, one hundred and ten ensigns, fifteen sergeants, two hundred horse and foot colours, thirty-two pieces of ordnance, small and great, and leather guns, all their arms, ammunition, tents, bag and baggage.

We lost not forty men in the whole engagement, and not one officer but major Rookesby, since dead of his wounds; colonel Whaley had his horse shot under him, himself slightly wounded, and captain Lloyd wounded.

The council of state ordered the narrative made by the lord general's messenger to be read in all churches in London

1651 to-morrow being the Lord's-day, and thanks to be returned for this great victory.

9. Letters that at the battle of Dunbar fifteen thousand were killed and taken.

That the general sent home upon their paroles five thousand of the prisoners being wounded, old men and boys, the men housekeepers forced out of their houses to take arms, and two thousand one hundred of them died by the way; the other five thousand were sent prisoners to Berwick, and so to Newcastle.

That the major-general marched to Haddington, and the general stayed behind with two regiments to order affairs at Dunbar, and so was to march to Edinburgh or Leith, from whence the enemy had drawn all their forces, and marched to Stirling and St. Johnston, where the king was.

That general Leven hasted to Edinburgh, and after him lieutenant-general sir David Lesley, who mustered his horse to thirteen hundred.

Letters from colonel Blake and colonel Popham of prince Rupert's endeavour to get out of the harbour, but would not fight with the parliament's ships, but struck in again.

That they sent home nine English ships which they had stayed, going to Brasil from Lisbon, and six French ships which they had taken.

That captain Lawson with the Fairfax frigate came up with twenty French ships, and took three of them.

10. Letters from the general to the parliament of the particulars of the battle of Dunbar, and an account of the whole march into Scotland, and of all passages with the Scots.

Scots ministers. That the Scots ministers pressed their army to interpose between the English in the march, and to fight them, but the officers of their army were against it, and advised to make rather a bridge of gold for them to pass home: but the ministers carried it to fight.

That they expressed great insolency and contempt of the English army to divers of the prisoners of the English whom they had taken, as was reported afterwards to the lord general.

The parliament gave rewards to the messengers of this good news.

Ordered that the colours which were taken from Hamilton at the battles of Preston and Dunbar should be hanged up in Westminster-hall, and that medals of gold and silver should be given to the soldiery, in remembrance of God's mercy and of their valour and victory. Colours hung in Westminster-hall.

Letters that Cromwell was possessed of Leith and Edinburgh, except the castle. That the king was gone to St. Johnston, and the forces to Sterling.

Voted to seclude all private business for a month.

An act for encouragement and indemnity of all such as engage in the parliament's service.

Letters that the enemy had quitted Edinburgh and Leith, and left there twenty-four pieces of ordnance.

That a son of Mr. Burgoine, one of the commissioners for the militia, at the cross in Coventry proclaimed king Charles the Second, and was apprehended for it, but escaped.

12. Letters of the settlement of the militia in several counties: and suspicions of designs to raise new troubles against the parliament.

13. Letters that the Scots were driven like turkeys by the English soldiers, and went along cursing their king and clergy for ensnaring them in misery. Scots.

That a Scots captain taken prisoner told the English officers, that their ministers advised them, if they were taken, they should throw away their Bibles, for if the English took any with Bibles they should have no quarter.

That the words in most of their colours were *covenant, religion, king, and kingdom,* the same when they came in with duke Hamilton.

That the day before the engagement they consulted of sending propositions to the English, that they should have leave to pass into England with their swords, leaving their ordnance, arms, and ammunition behind. And they had thoughts of sending those they should take prisoners beyond sea.

14. Letters that the English officers were fain to break the pikes, and many muskets they had taken from the Scots, there not being conveniency to send them for England.

That the governor of Berwick gave to each Scotch prisoner for one day three biscuits, and a pottle of pease, which they

said was more than their own officers gave them in three days together.

16. Letters from a private hand, describing the religion, laws, and government of Scotland, both civil and military, with a character of their people and manners, not much to their honour.

That August the 21st, the English shipped near six hundred of their sick men for Berwick, and the Scots observing many boats going off, thought they intended to ship away all their foot and ammunition, and with their horse to escape for England;

Whereupon the Scots pursued the English to Dunbar, and considered of sending them to Barbadoes, if they refused such propositions as they should offer them; and thinking they had the English in a net, did engage with them.

That they having taken twenty of colonel Pride's men, they killed three of them, and wounded the rest in cold blood.

That the English were in a sad posture, very many of their men sick and wanting provisions, the enemy having made up the passes before them; the whole Scots army on the right hand, and the sea on the left hand, and the whole nation of Scotland behind them.

That the Scots having a resolution to fall upon the English, were prevented by the unseasonableness of the weather; and Cromwell and his officers seeing no other way, resolved to fall on them; which was done, and after one hour's hot dispute they were defeated, and quitted Edinburgh and Leith, which was the same day possessed by the English army.

The letter sharply censures them to be a people who delight to enslave others, yet are of a servile and slavish condition themselves, a people whose freedom is service, whose mercies are cruel;

A kirk whose religion is formality, and whose government is tyranny, a generation of very hypocrites and vipers, whom no oaths or covenants can bind, no courtesies or civilities oblige.

17. An act passed for a day of public thanksgiving for the victory against the Scots.

An answer passed to the king's late declaration, and published.

An act passed against the electing and swearing mayors, and other officers upon the Lord's-day.

Order for Mr. Caryl and Mr. Owen to go into Scotland, according to the desire of the lord general.

Recruits of six hundred drawn out of colonel Barksted's 472
regiment for Scotland.

Rules given concerning augmentations of ministers' livings.

Sir John Gell was tried before the high court of justice.

Several ministers of London appeared before a committee for not observing the thanksgiving-day for the victory against the Scots.

Letters that the general had settled things at Edinburgh and Leith:

That since his coming to Edinburgh not a man had appeared out of the castle:

That upon news of the victory at Dunbar brought to the king, he thanked God that he was so rid of the Scots, and said, the kirk might now see their error in prohibiting him to be in person with their army, and keeping out the English and the rest of his followers. That he is now with the army about Stirling.

19. The lord mayor, aldermen, and common council of London. London, kept a day of thanksgiving by themselves for the victory in Scotland, and invited divers officers of the army, parliament-men, and other gentlemen, to dine with them at Guildhall:

That the ministers about Taunton would not observe the day of thanksgiving for the victory in Scotland, but prayed indirectly to the contrary.

20. Letters of the decrease of the plague in Dublin:

That the lord deputy in his march through Wicklow took Ireland. from the rebels three thousand cows, and advanced towards Athlone:

That money was arrived for the soldiers:

That sir Hardress Waller was set down before Limerick:

That the enemy sallied out of Waterford upon colonel Essex's quarters, took many of his troop-horses, killed some few of his men, sorely wounded his lieutenant, and himself hardly escaped:

That the enemy are drawing all their strength together, and give out that they will fight the English.

From Edinburgh, that the general marched with his army and six days' provision, and from thence towards Stirling, having left forces in Edinburgh and Leith, and cast up a work cross the streets of Edinburgh between his forces and the castle, and there was little or no action between them and his forces:

That the general sent all his sick soldiers to a lord's house in Leith, where they had good accommodations and great care taken of them:

That the king insists to have the lord Ruthen general, but the kirk will have none but the lord Louthian, and the old lord Leven is laid aside with dishonour:

That the Scots are upon raising new forces:

That in Edinburgh they took three thousand new foot-arms, which the Scots had not time to carry away nor put into the castle, they were in so great a confusion:

That in Leith they took store of French wines, part of which was spent to refresh the soldiers, who for too long time before had drunk nothing but water: the rest is to be sold for the benefit of the army:

That about fifteen hundred foot and a thousand horse of recruits were come from England to the army in Scotland:

Loudon. That the lord Loudon's cabinet was taken in the fight, and in it copies of his letters to the king and other papers of consequence, he being chancellor, but ill-beloved of the Scots, and upbraided by them for whoredom and other sins.

21. A member of the army came to the parliament with letters from the general of the proceedings of the army, and desiring that the three thousand tun of French wines taken at Leith might be custom and excise free, and sold and distributed among the private soldiers; which the house granted; and ordered the letters found in the lord chancellor's cabinet to be printed at the end of the declaration for the public thanksgiving.

23. Letters that the Scots were raising new forces upon the presbyterian interest, and that the king was at Dundee with some of his cavalier party as well as presbyterians:

That the general sent to the governor of Edinburgh-castle that the ministers with him might return to their churches, and have free liberty to preach there, and commanded that none of the army should molest them.

The ministers sent answer, that they found nothing expressed whereby to build any security for their persons; and for their return they resolved to reserve themselves for better times, and to wait upon him who had hidden his face for a while from the sons of Jacob. Ministers.

The general replied in a letter to the governor to this effect:

Our kindness offered to the ministers with you was done with ingenuity, thinking to have met with the like; but I am satisfied to tell those with you, that if their master's service (as they call it) were chiefly in their eye, imagination of suffering would not have caused such a return. Letter from Cromwell.

Much less the practices of our party (as they are pleased to say) upon the ministers of Christ in England have been an argument of personal persecution.

The ministers of England are supported and have liberty to preach the gospel, though not to rail, nor under pretence thereof to overtop the civil power, or debase it as they please.

No man hath been troubled in England or Ireland for preaching the gospel, nor has any minister been molested in Scotland since the coming of the army hither.

The speaking truth becomes the ministers of Christ: when ministers pretend to a glorious reformation, and lay the foundation thereof in getting to themselves power, and can make worldly mixtures to accomplish the same, such as their late agreement with their king, and hope by him to carry on their designs, they may know that the Sion promised and hoped for will not be built with such untempered mortar.

And for the unjust invasion they mention, time was, when an army of Scotland came into England not called by the supreme authority. We have said in our papers with what hearts and upon what account we came, and the Lord hath heard us, though you would not, upon as solemn an appeal as any experience can parallel.

When they trust purely to the sword of the Spirit, which is the word of God, which is powerful to bring down strongholds, and every imagination that exalts itself, which alone is able to square and fit the stones for the new Jerusalem;

Then, and not before, and by that means and no other, shall Jerusalem, (which is to be the praise of the whole earth,) the city of the Lord, be built, the Sion of the Holy One of Israel. I have nothing to say to you, but that I am, sir,

Your humble servant,

Sept. 9, 1650. O. Cromwell.

473 The Scots ministers sent an answer to this letter, and the general another letter in answer to them, and says therein,

Another letter.

We look upon ministers as helpers of, not lords over the faith of God's people; I appeal to their consciences, whether any denying their doctrines, and dissenting, shall not incur the censure of sectary; and what is this but to deny Christians their liberty, and assume the infallible chair?

Where do you find in scripture that preaching is included in your function? though an approbation from men hath order in it, and may do well, yet he that hath not a better than that, he hath none at all.

I hope He that ascended up on high may give his gifts to whom he please; and if those gifts be the seal of mission, be not envious though Eldad and Medad prophesy; you know who bids us covet earnestly the best gifts, but chiefly that we may prophesy.

Which the apostle explains there to be a speaking to instruction and edification and comfort, which the instructed, edified, and comforted can best tell the energy and effect of.

If such evidence be, I say again, take heed you envy not, for your own sakes, lest you be guilty of a greater fault than Moses reproved in Joshua, for envying for his sake.

Indeed you err through the mistake of the scriptures; approbation is an act of conveniency in respect of order, not of necessity, to give faculty to preach the gospel.

Your pretended fear lest error should step in, is like the man that would keep all the wine out of the country lest men should be drunk. It will be found an unjust and unwise jealousy to deny a man the liberty he hath by nature, upon a supposition he may abuse it: when he doth abuse it, judge.

24. An act passed for encouragement and indemnity of such as voluntarily engaged themselves in the service of the parliament in this time of common danger.

An act passed for appointing new commissioners for the excise.

A vote approving the late transactions of the militia of London and Westminster.

25. Proceedings in the trial of sir John Gell before the high court of justice.

By the letters taken in the cabinet of the lord chancellor Loudon at Dunbar fight, it appeared that the Scots designed to invade England.

Letters that the lord Willoughby and others had pro- Barbadoes.
claimed king Charles II. in Barbadoes, and that the assembly there had sentenced captain Tienman and lieutenant Brandon to be disfranchised, their estates to be seized, their tongues cut, their cheeks burnt with the letter T, and afterwards to be banished; and that they had fined and banished most in the island who were well-affected to the parliament.

26. Order for the thanks of the house to be given to the old commissioners of the excise for their good service.

Letters that the ministers about Dartmouth would not read any act or ordinance commanded by the parliament.

Rumours of Hopton's and Greenvil's landing with forces in the west, which caused the governor of Weymouth and the militia thereabouts to be in a readiness.

Recruits ordered for Scotland.

Letters that sir Charles Coot, with six hundred horse and thirteen hundred foot, marched to the lord deputy before Athlone; that there was difference amongst the Irish occasioned by their clergy:

That the earl of Westmeath took in a castle of the lord Dillon's, and put all in it to the sword.

27. Upon the report from a committee, the house voted Blasphemy.
that one Clackson, who made and published an impious and blasphemous book, called *The Single Eye*, should be sent to the house of correction, and afterwards be banished, and that the book be burned by the common hangman;

And that Mr. Rainsborough, a justice of the peace in Middlesex, who countenanced the book, be disabled from being a justice of the peace.

28. Letters that the parts about Milford-Haven were in- Ireland.
fected with the plague by the many passengers that way from Ireland:

That the lieutenant-deputy in his march to Athlone received no interruption from the enemy, who lurk much in the woods, and are relieved by the country, though they are commanded the contrary on pain of death:

That the lieutenant-deputy thereupon inclined to burn the country as he marched, else there could be no end put to the war there.

30. Letters, that after six days' stay at Edinburgh and

Leith, the general with his army, and with seven days' provisions, marched to Netherish, six miles from Edinburgh:

Scotland. That the general came back that night to Leith, being Saturday, Sept. 14.

That he made major-general Overton governor of Edinburgh with two regiments, and a third regiment at Leith:

Sunday the army marched beyond Linlithgow towards Stirling, but by reason of the great rain and storms retreated, and quartered at Linlithgow:

That the general sent a summons to Falkirk, who returned answer, that they were all gentlemen in the garrison, and would all die before they would yield it up; but if Stirling should be taken or yielded to him, that then they would yield also, and in the mean time would not interrupt his march:

That it was once resolved to march up to Stirling, and ladders and preparations made to storm it; but upon consideration of the strength of the place, and unseasonableness of the weather, and want of provisions, that purpose was altered:

That the general sent a trumpet with some propositions to those in Stirling, but they refused to receive the letter or to let the trumpet come in:

That afterwards a trumpet came from lieutenant-general David Lesley, with a letter to the general for exchange of prisoners, which he denied to receive:

That the general gave orders for the fortifying of Linlithgow, and he and the army returned to Edinburgh, where he kept a day of humiliation; and the kirk likewise appointed a day of public humiliation.

Proclamation. The general published a proclamation for free and safe trading by the Scots at Edinburgh, who were not in arms, and liberty to sell their commodities, and to be free from violence of the soldiery, and to be protected in their habitations.

Sir John Gell. Sir John Gell was sentenced by the high court of justice for misprision of high treason, to forfeit his estate, and to be imprisoned during his life.

October 1650.

1. Several votes passed touching the compositions of delinquents.

An act passed for relief of religious and peaceable people from the rigour of former acts of parliament in matters of religion. 474

Vote, to consider of public business only till November next, and all private business excluded till then.

An act committed touching doubling upon sale of deans' and chapters' lands.

A new raised regiment in London under major-general Harrison, of sixteen hundred and sixty, and two more under major-general Skippon and alderman Tichborne, of two thousand in each regiment.

The lady Elizabeth, the late king's daughter, died in the Isle of Wight. Lady Elizabeth.

That a parliament frigate upon the coast of Galicia fought with a Portugal ship richly laden with plate, &c., to the value of 100,000*l*., and after a stout fight sunk her.

2. Letters of twelve sail of Jersey ships taken by the parliament's frigates.

Captain Ashley was sentenced by the high court of justice to have his head cut off, and one Benson to be hanged, for conspiring against the commonwealth in the treasonable engagement of colonel Andrews. High court of justice.

3. Letters that the duke of York was going from France to Holland, and had borrowed of the duke of Orleans five thousand pistoles to bear his charges.

4. An account of recruits and provisions shipped for Ireland.

Letters of the militia under colonel Pine at Taunton, declaring their willingness to go into Scotland, if required, though the ministers preached against it.

Letters of the Scots raising new forces, and of the bitter invectives of the kirk against the English army: Scots.

That they take the country people by force out of their beds, and compel them to serve in their army.

5. Many persons well-affected to the parliament having their estates seized, and themselves driven away from Barbadoes, came into England, and upon their petition to the council of state, and conference with them by their committee, Barbadoes.

They reported their opinions to the parliament, that it was necessary to reduce those islands, and a fleet to be sent thi-

ther for that purpose, with provisions for that purpose: which the house approved.

Scotland. 7. Letters that the general commanded all the Scotch boats, and all other boats that could be got in the Frith, to be brought to Leith; and order was given for the springing of mines for reducing of Edinburgh-castle:

That the general and his officers met at the great church in Edinburgh on the Lord's-day, where many Scots were, and expressed much affection to the doctrine preached there:

That the general employed some Scotch miners against the castle; and his soldiers came so near the works of the castle, that they brought away one colours and three hundred muskets, and other arms, without loss:

That the enemy with granados fired two or three houses near the castle; yet the parliament's soldiers entered one of them, and got store of arms and ammunition there, though the castle shot at them all the time:

That the soldiers found in the high church at Edinburgh much arms and ammunition.

Mr. Benson was executed at Tyburn, according to the sentence of the high court of justice; but in regard that captain Ashley only subscribed the engagement, but acted nothing in it, he was pardoned by the parliament.

8. The day of public thanksgiving for the victory in Scotland.

The act passed for prohibiting trade with Barbadoes, Virginia, &c.

Votes touching compositions of delinquents.

A committee named to consider of former laws touching the poor; and of a new act to be made for the setting the poor on work.

Several mayors of corporations approved by the parliament.

9. Letters that the tories in Ireland were got into bodies:

Ireland. That the Irish were spoiled by the English if they did not pay contributions to them; and if they did, then the tories and other rebels did ruin their own brothers and nearest relations.

A remonstrance published by the Irish clergy, charging the present government by the marquis of Ormond and his favourites with treachery to the nation.

10. Letters that five hundred Irish in Scilly had a design to deliver it up to the parliament's forces, for which some of them were executed.

11. An account to the council of state of the militia in Devon and other parts raised to a considerable number; and of the releasing of the gentlemen secured upon their taking of the engagement:

That the grand jury at the sessions presented a petition to the justices to be sent up to the parliament, that all the proceedings in law might be in English: Petition.

That the ministers in those parts are dissatisfied with every thing, unless they may have dominion and lordly power in effect, though not in name:

That the ministers about Exon and Taunton refused to observe the thanksgiving-day for the victory in Scotland.

12. Letters of great volleys of small shot and great shot from South-Sea-castle, and the ships in the road, upon the thanksgiving-day, for the victory in Scotland; and of much kindness between the civil and military officers.

14. Letters that a party of the army surprised one of the out-guards of Edinburgh-castle, and the enemy fled into the castle, leaving three hundred muskets behind them: Scotland.

That the next day, upon a search in Edinburgh, they found a good quantity of arms and ammunition:

That the general went on with his mining and approaches to the castle, which was well stored with provisions and ammunitions, and had of late been very lavish of their powder to little purpose:

That they took some boats and one ship of the Scots:

That two ships were come with cheese for their supply, and one thousand of the sick and wounded soldiers were come back to Leith:

That divers of the Scots come to hear the ministers of the army, and seem to be much converted by them, and offer to be employed by the general:

That their king is discontented at the late carriage of their clergy, who preached at their fast that their late overthrow was their too much complying with the king: that he sent to Orkney to have ships ready there for his going away, if he should find cause to depart Scotland:

That a frigate of the parliament's, called the Liberty, with

475 fifty brass guns, was cast away, by carrying too much sail, upon the sands betwixt Harwich and Yarmouth road.

15. An act passed for sale of the manors, rectories, and glebe-lands late belonging to the archbishops, bishops, deans and chapters.

Portugal. Letters that ten of the parliament's ships, about five leagues off the shore of Lisbon, met with twenty-three of the Portuguese Brasil fleet, burnt three of them, and, as is supposed, took eleven of them, with eight thousand chests of sugar, and other rich goods in them; and the rest, being smaller ships, in the fight, got into Lisbon:

That the king of Portugal hearing of this came down in person, and caused prince Rupert and his fleet, being eighteen in all, to go out to regain the Brasil ships, which they did, but the parliament's fleet were drawn off:

That the duke of York was come to the Hague.

16. Letters of the refractoriness of ministers in several places, and their refusing to observe the day of thanksgiving for the victory of Scotland.

17. Letters of the breaking out of the plague at Barnstable.

Kirk. Letters of great difference between the kirk and the king; and that the lords side with the king, and divers commanders with the kirk, who proceed to purge the king's household:

That the earl of Cleveland was to depart Scotland for refusing to take the covenant:

That most of the cavaliers went to Holland, being the place of their refuge and greatest security, which they most hated before:

That none are allowed a residence in Scotland, but the duke of Bucks, the lord Newburgh, and sir James Livingston.

Ireland. 18. Letters that three strong castles near Limerick were surrendered to sir Hardress Waller upon quarter, and taken in, to prevent interruption to the army's besieging Limerick; and then he sat down again before that city:

That the Dragon frigate sunk a great ship of the enemy's near Limerick laden with treasure, and took another laden with hides and tallow, worth 3000*l.*:

That the sickness increased again at Cork and other places:

That colonel Hewson marched out of Dublin with a strong party, and the lord deputy was gone before Limerick:

That the plague increased in Shrewsbury:

That the Fairfax and other frigates came into Pendennis harbour, hearing that there was an insurrection in those parts, but found it otherwise, and returned to sea:

That the minister and mayor of Northampton refused to observe the thanksgiving-day, saying, it was a sin to do it:

That the Roman catholic and the royal presbyterian were both built upon one politic foundation, supported with one private interest.

19. Letters that the parliament's fleet were in pursuit of prince Rupert's fleet.

That the governors of the castles near Limerick, lately taken in by sir Hardress Waller, were the chief actors in the ruin of his estate.

Letters that the king is gone away from St. Johnston, but the kirk sent after him, and brought him back again: Scots.

That all their forces, except five hundred, were removed from Stirling to St. Johnston:

That the general and officers were often in prayer together:

That the governor of Edinburgh-castle was very high, and the clergy with him very desperate:

That the general went on with his mining:

That the Scots army are full of factions; one are those whom the Scots laboured to remove out of the army as *sectaries;* another faction is *the old malignants,* who would be revenged for the death of Montrose and other malignants; others are against the kirk; others are *the new malignants:*

That David Lesley's men plunder, ravish, and kill the country people, and put to death some of them for refusing to serve in the army.

22. An act passed concerning corn and meal.

An additional act passed for the more speedy effecting the sale of the manors of rectories, glebe-lands, &c.

Referred to the lord mayor and the militia of London, &c., to return the names of such ministers as refused to observe the thanksgiving-day for the victory in Scotland.

Order for the several committees to tender the engage- The engagement.

ment to the inhabitants of several parishes, and to return the names of the subscribers to the lords commissioners of the great seal.

The like for stewards of leets.

The like for the lord mayor and militia of London in every parish to return the subscribers to the lords commissioners.

Referred to the lords commissioners of the great seal to call before them all the judges, and to take order with them that none of the army now in Scotland receive any prejudice in any cause wherein they may be concerned during the next term, and their absence in Scotland.

Referred to the council of state to regulate the several militias for the best ease and safety of the nation.

Order touching the proceedings at law, and how to regulate them with most ease and [least] delay to the people.

Trained bands. Divers city regiments, and of Middlesex, of the trained bands under major-general Harrison, colonel Tichborn, and colonel Berkstead, and others, to the number of eight thousand, mustered in Hyde Park, where the speakers and members of parliament met them, and were received with great shouts, and volleys of great and small shot.

23. Letters that captain Mildmay took the Roebuck, one of the revolted ships, with fifty-five men in her:

That the ministers about Plymouth pray and preach against the prosperous successes of the parliament.

24. Letters that the army with ten days' provisions was marched westward towards Glasgow:

That the king, being brought back from his intended journey northwards by a troop of horse, was guarded as a prisoner:

That colonel Popham, one of the admirals of the parliament's fleet, was come to London with an account to the parliament of the proceedings of the fleet.

25. Letters of many subscriptions to the engagement about Exeter:

That the Scots were busy in raising forces near Carlisle, but the country being backward to take arms, the officers took money and excused the men.

Fleet. A confirmation that the parliament's fleet near Lisbon

had sunk the admiral of the Portugal Brasil fleet, taken the vice-admiral, and divers other of their ships of a great value.

Ordered by the parliament, that all the books of the laws be put into English; and that all writs, process, and returns thereof, and all patents, commissions, indictments, judgments, records, and all rules and proceedings in courts of justice, shall be in the English tongue only, and not in Latin or French, or any other language than English : The laws in English. 476

And that the same be writ in an ordinary legible hand, and not in any court hand; and that it be referred to a committee to draw up an act upon this vote.

Referred to the same committee to consider of all salaries and fees of judges and other officers, and what offices or fees are fit to be taken away; and to consider of delays, and unnecessary charges in proceedings of the laws, and to present a bill to the house for redress thereof; and the committee to meet daily upon this business till it be despatched.

26. Letters of some prizes taken by the parliament's ships near Pendennis-castle:

That sir William Godolphin's son was raising forces for the king, though his father received much favour from the parliament.

28. Letters that the general had two thousand men daily at work about the fortifications of Leith, and went on with the mines before Edinburgh-castle, though the enemy shot great and small shot constantly at them, and yet they lost but five or six men : Scotland.

That the king was slipped away from the Scots with the duke of Bucks, and three or four more in his company, towards the earl of Seaforth, (and others of the royal party, who were about two thousand, as was before certified,) but was brought back again:

That the general marched with seven regiments of foot and nine of horse to Linlithgow, and sent a trumpet to the estates of Scotland to give security, and to treat for stopping the effusion of more Christian blood: Cromwell.

That he took in a garrison with forty men, who laid down their arms :

That he gave strict command to his army, not to offer violence to any of the Scots who were not in arms; which was duly observed.

That he marched to Glasgow, where he stayed three or four days, and marched on to Livingston-house, the weather extreme wet, and the soldiers divers times fain to quarter in the open fields:

That the court at St. Johnston were in great distractions; and the highlanders fell upon the kirk party, and killed a major, a lieutenant, and some others.

Return of juries. 29. Vote that the committee for regulating the proceedings in law do peruse the freeholders' books in every county, and consider of a way for the impartial returns of juries, and of more indifferent proceedings in causes.

Order for an act to take away all saints' days, and other days in term not juridical, and making them court days, and for making the fifth of November no court day.

A committee to consider how to regulate abuses and misdemeanours of keepers of prisons.

Order for the members of the house to bring in by a day the names of fit persons to be sheriffs in the several counties.

An act for raising 120,000*l.* per mensem for maintenance of the forces in England, Scotland, and Ireland, read the first time.

An act passed for settling convoys for securing the trade of the nation.

30. Letters of several prizes brought into Plymouth.

Cromwell. 31. Letters that the general sent a letter to the committee of estates by a trumpet, who was not permitted to carry it further than Stirling, where the governor took it of the trumpet, and promised to send it by a messenger of his own to St. Johnston, where the committee then was:

That the general marched to Glasgow, the completest town they had been in, and one of their choicest universities:

That when he entered the town, many Scots appeared to see him march, but no violence was offered to any of them; the general having giving a strict command for that purpose; and none of the soldiers entered till he and his followers were first in their quarters:

Blasphemy. That captain Covel, of the general's regiment of horse, was cashiered for holding some blasphemous opinions:

Scots. That on the Lord's-day, a Scots minister in his pulpit at

Glasgow railed foully against the general and his army, and though many soldiers heard it, yet no violence was offered to him:

That colonel Ker and colonel Strachan were willing to have a treaty of accommodation, but sent word to the general that they could not effect it, being hindered by the lord Wareston and sir John Chiesesly, who were sent to them for that end by the committee of estates:

That the general marched from Glasgow fourteen miles, and quartered in a poor cottage:

That captain Pitson was taken prisoner by the enemy:

That colonel Venrusk with a party of Dutchmen fell upon some stragglers of the army and murdered them:

That the general returned to Edinburgh:

That some recruits came from London to the army, but near half of them ran away in their march, and listed themselves in the garrisons of Newcastle and other garrisons by the way.

November 1650.

1. Letters of some Dutch ships laden with figs from Portugal stayed at Pendennis till the pleasure of the council of state was known:

That the commissioners provided red coats for all the soldiers.

2. Letters that prince Rupert was gone to Marseilles, and intended from thence to go to Barbadoes, and to get men there and in the islands, and so to go for Scotland: Prince Rupert.

That there were great divisions betwixt the kirk's party and the committee of estates: Scots.

That a lieutenant with a trumpet came with letters to the general from the committee of estates:

Letters that the mine went on against Edinburgh-castle; and that two mortar pieces were brought thither from Hull:

That the general sent a party, who took in a strong house near Dalkeith, and some arms in it:

That colonel Ker and colonel Strachan had sent new letters about an accommodation, and had declared against the interest of the king and lords:

That some of the royal party fell upon the kirk party, and killed and took one hundred and twenty of them; and other

great divisions were amongst them, whilst the English army was in their bowels:

That at Carlisle on the Lord's-day, in the great church, the governor's chaplain preached in the morning and an officer of the army in the afternoon.

477 5. The day of the gunpowder treason celebrated.

A further act passed prohibiting trade with the Scots by any foreign nation.

Referred to the committee of the navy to contract for ships and provisions to be sent to the plantations in America.

Order about moneys for convoys.

An act passed for easing the charge of lords of manors and their bailiffs in passing their accounts in the exchequer.

6. Letters of some small prizes brought into Plymouth:

That the prince of Orange was dead of the small-pox.

7. Letters that some pirates took three ships out of Plymouth road at noon-day:

That thousands came in voluntarily to take the engagement without any summons:

That the commissioners for charitable uses at Taunton found out great sums of money due to the poor.

Ireland. Letters that the lieutenant-deputy gave a defeat to the enemy in Munster:

That those in Limerick refused to treat for surrender of the town; and the lieutenant-deputy prepared to build a fort against it:

That the lord Ormond hanged some mass-priests, and thereby lost the affections of the Irish:

That colonel Cooke fought with the Wicklowe tories, and took prisoner Shurlocke their great captain:

That upon the lieutenant-deputy's approach to Athlone they quitted the town and burnt it, and guarded the pass over the river to the castle:

That the deputy left sir Charles Coote there, and marched to Limerick; and in the way took in several garrisons:

That the plague was much ceased in Ireland.

9. Letters of a London ship split upon the rocks near Dartmouth:

That the royal party and the kirk party in Scotland were reconciled, and all engaged against the English army.

11. Letters that two thousand were daily at work upon the new fortifications at Leith; and when they meet with a rock they bore holes in it, and blow it abroad with gunpowder:

That Middleton, refusing to come in when the king sent for him, was excommunicated by the kirk:

That David Lesley's army have no mind to fight with Middleton's men:

That they being upon the king's interest only, have, to colour their pretences, set forth a declaration, entitled, *A declaration of the noblemen in arms for union in the prosecution of the cause of God and relief of the kingdoms:*

That Middleton and the rest of his party refused an act of indemnity, unless they might be admitted (as others) to places of trust; which the kirk and estates would not permit; yet all of them are like to agree:

That the Scots prisoners taken at the battle of Dunbar, at their first coming to Newcastle got into the gardens, and fed so greedily upon the raw cabbages that they poisoned their bodies. That one thousand six hundred of them died, five hundred more of them were sick, and nine hundred in health, who are set to work there.

12. The committee revived to examine some complaints made against ranters.

An act committed for turning all books of law into English, and for all process and proceedings in courts of justice to be in English. Law business.

The act committed for the assessment of 120,000*l.* per mensem.

Upon report from the council of state, several votes passed in order for reparation to the English merchants who had been injured by the French.

An act passed to make prize of Portugal ships and merchandise.

The parliament named the sheriffs for the several shires of England and Wales for the year ensuing.

Five of colonel Barkstead's soldiers rode the wooden horse in Smithfield, and two of them were whipped for attempting to rob in Smithfield; and a trooper condemned to be shot to death for killing his fellow-soldier.

13. Letters that a cook of a ship of Bremen, upon what discontent was unknown, did at Lee near Gravesend mix

mercury with the potage, and poisoned the master and eleven men, being all in the ship; so that they all died within twenty-four hours after, and the murderer escaped away.

An account of provisions shipping from Pendennis for Ireland.

14. An account of many subscribing the engagement at Oxon, and of settling the militia there.

Convoys appointed to be constantly attending upon the merchants' ships, and they required not to send abroad without them.

An account of two ships laden with provisions sent to general Blake riding before Lisbon.

Recruits for Ireland who ran away and were retaken; one of them was hanged, and others did run the gantelope for abusing some countrymen; and the court martial published some orders for preventing the like inconveniences for the future.

Other soldiers were punished for erroneous tenets and scandalous profaneness.

15. Letters that the earl of Clanrickard took in two or three little places garrisoned by the parliament's army:

Irish. That the Irish upon an advantage fell upon a party of colonel Cooke's men, and the dispute lasted many hours between them; at length colonel Cooke routed the Irish, killed three or four hundred of them, and took two colonels prisoners.

Scots. Letters that some wagoners of the general, with thirty-six train-horses, were surprised in their quarters within a mile of Edinburgh:

That colonel Strachan was inclinable to come in and join with the English army:

That the laird of Brady, one of the commissioners that brought the king from Holland into Scotland, came from the court to the committee of estates, and declared his sorrow for having a hand in that action:

That the king removed to Dumfermling, fearing to be fetched away by the royal party:

That Middleton was eight thousand strong.

18. Letters that the army was quartered in Edinburgh, Leith, and the villages eight miles compass about:

That there are great differences amongst the Scots; and the king endeavours to reconcile all.

19. Order of parliament for discharge of all sums due for respite of homage and fines for alienation, and for all mean rates, &c.

Referred to a committee to draw instructions for the barons of the exchequer touching the poll-bill, &c.

An act passed for regulating the making of Norwich stuffs. 478

Letters that many came away from Strachan to St. Johnston, and some from David Lesley came to Middleton.

The general published a proclamation, that if any of his soldiers were robbed or killed in the country he would require restitution, and life for life, of the parish where the fact should be committed, unless they discovered the offender. Proclamation.

20. Letters of a ship with goods bound for Ireland taken by Scilly pirates near Minehead:

That the princess of Orange was brought to bed of a son.

21. Letters of ministers railing in their pulpits in several counties against the present government; and yet that more than were summoned came in to take the engagement: Ministers.

That the plague was ceased in Shrewsbury:

Of three Dutch ships laden cast away near Dartmouth.

22. Letters that colonel Monk, with a party of one thousand six hundred, was sent to take in Derlington-house, a nest of the moss-troopers, who killed many soldiers of the army. Moss-troopers.

That he and major-general Lambert came before the house, and cast up their batteries the same night, so that their great guns were ready to play the next morning by the break of day:

That their great shot played, and the fourth shot of their mortar-piece tore the inner-gate, beat down the drawbridge into the moat, and killed the lieutenant of the moss-troopers, so that they called for quarter;

Which would not be given them; nor would they agree to surrender to mercy but upon reverence, which was consented unto:

That they took the governor and the captain of the moss-troopers, and sixty soldiers:

That two of the most notorious of them and the captain were shot to death upon the place.

They took in it many arms, sixty horses which they had

taken from the English, and released ten English prisoners, and demolished the house.

Middleton. That Middleton laid down his arms upon condition that the king should be forthwith crowned, and the estates and kirk ordered him to take his command again:

That recruits were come from England to the army:

That the general and his officers kept a fast-day:

The English laws. The house had a very long and smart debate touching the act for putting all the books of law, and the process and proceedings in courts of justice, into the English tongue; in which debate some spake in derogation and dishonour of the laws of England.

For some vindication whereof, and for satisfying some mistakes, I delivered my opinion in the house to this effect:

Mr. Speaker,

The question upon which your present debate ariseth is of no small moment, nor is it easily or speedily to be determined; for it comprehends no less than a total alteration of the frame and course of proceedings of our law, which have been established and continued for so many ages.

I should not have troubled you with any of my weak discourse, but that I apprehend some mistakes and dishonour to the law of England, if passed by without any answer, may be of ill consequence; and having attended to hear them answered by others, who are not pleased to do it,

I held myself the more engaged, in the duty of my profession, to offer to your judgment (to which I shall always submit) what I have met with, and do suppose not to be impertinent, for the rectifying of some mistakes which are amongst us.

A worthy gentleman was pleased to affirm with much confidence, (as he brought it in upon this debate,) that the laws of England were introduced by William the Conqueror, as (among other arguments he asserted) might appear by their being written in the French tongue.

In his first assertion, that our laws were introduced by William the Conqueror out of France, I shall acknowledge that he hath several both foreign and domestic authors whom he may follow therein; the foreign authors are Jovius, Æmilius, Bodine, Hottoman, Dynothus, Volateran, Berault, Berkley, Choppinus, Uspargensis, Malines, and Polydore, who affirm this erroneous piece of doctrine; but the less

to be regarded from them, because they were strangers to our laws, and took up upon trust what they published in this point.

Of our own countrymen, they have Paris, Malmesbury, Matthew Westminster, Fox, Cosins, Twyne, Heyward, Milles, Fulbeck, Cowel, Ridley, Brown, Speed, Martin, and some others.

All of them affirm that the laws of England were introduced by William the Conqueror: but their errors are refuted by sir Roger Owen, in his manuscript, who saith, that Roger Wendover and Matthew Paris were the first monks that hatched these addle eggs.

I shall endeavour to show you that the original of our laws is not from the French, that they were not introduced by William the Conqueror out of Normandy: and I shall humbly offer to you my answer to some of their arguments who are of a contrary opinion.

Polydore, Hist. Angl. L. 9. affirmeth, that William the Conqueror first appointed sheriffs and justices of the peace, erected tenures, brought in trials by twelve men, and several other particulars of our laws.

For sheriffs, their name, *scire reeve*, shows them to be of the Saxon institution. And our histories mention the division of shires by king Alfred; but in truth it was much more ancient.

And it is apparent by our books and records, some whereof are in the hustings of London and in the Tower, that the same things were in use here long before the time of king Wil. I.

Sir Roger Owen shows at large, that livery of seisin, licenses, or fines for alienation, daughters to inherit, trials by juries, abjurations, outlawries, coroners, disposing of lands by will, escheats, gaols, writs, wrecks, warranties, *cattala felonum*, and many other parts of our law, and the forms of our parliaments themselves, were here in being before the time of duke William.

Agreeing hereunto are many of our historians and learned antiquaries.

But it is objected, that in the Grand Customary of Normandy the laws are almost all the same with ours of England, and the form of their parliaments the same with ours.

That the writer of the preface to that book saith, it contains only the laws and customs which were made by the princes of Normandy, by the council of their prelates, earls, barons, and other wise men; which shows the forms of their parliament to be the same with ours, and the laws in that book to be the proper laws of Normandy, and ours to be the same: therefore they argue that our laws were introduced from thence by William the Conqueror.

This will be fully answered, if that Grand Customary of Nor- 479

mandy was composed in our king Ed. I his time, (as good authors hold it was,) then it cannot be that our laws or parliaments could be derived from thence.

These learned men say, that this Customary was a mere translation of our law book Glanvill; as the book of *Regia Majestas*, of the laws of Scotland, is; and the like of the laws of Burgundy.

They further add, that the first establishing of the Customary of Normandy was in Hen. I his time; and afterwards again about the beginning of Ed. II his time.

If the laws in the Customary were introduced there from England, it will then be granted that the laws of England were not introduced here by William the Conqueror: but I think it very clear that their laws were brought to them out of England; and then you will all agree to the conclusion.

Our king Hen. I conquered Normandy from his brother Robert, and was a learned king, as his name *Beauclerk* testifies; whom Juo calls, *An especial establisher of justice.* Sequerius relates that this king established the English laws in Normandy.

Herewith do agree Gulielmus Brito Armoricus, Rutclarius, and other French writers; who mention also, that the laws in the Customary of Normandy are the same with the laws collected by our English king Edward the Confessor, who was before the Conqueror.

An additional testimony hereof is out of William de Alenson Revile, who, in his Comment upon the Customary, saith, that all the laws of Normandy came from the English laws and nation.

In the Customary there is a chapter of *Nampes*, or distresses, and decreed that one should not bring his action upon any seizure, but from the time of the coronation of king Richard; and this must be our king Richard I, because no king of France was in that time of that name; and the words *nampes* and *withernams* were Saxon words taken out of the English laws, signifying *a pawn*, or *distress;* and in the same sense are used in the Customary.

That which puts it further out of scruple is, that there are yet extant the manuscripts themselves of the Saxon laws, made in the parliamentary councils held by them here; which are in the language and character of those times; and contain in them many of those things which are in the Norman Customary.

It is no improbable opinion, that there was a former establishment of our laws in Normandy before the time of Hen. I; and that there was by Edward the Confessor, who (as all writers of our history agree) was a great collector and compiler of our English laws.

He lived a long time with his kinsman duke William in Nor-

mandy, who was willing to please the Confessor, in hopes to be appointed by him to be his successor; wherein the duke's expectation did not fail him.

The Confessor having no children, and finding Normandy without a settled government, and wanting laws, advised with his kinsman duke William to receive from him the laws of England, which he had collected, and to establish them in Normandy; which duke William and his lords readily accepted for the good of their people; and thereby obliged the Confessor.

Another proof hereof is, that such laws as the Normans had before the time of duke William were different from those in the Customary, and from the English laws.

As their law, that the husband should be hanged if the wife were a thief, and he did not discover it; the meaner people were as slaves; and the like: and the trial of theft by ordeal, which then was not in England.

Wigorniensis reports, that the Normans, who came in with queen Emma, the wife of Ethelred, were so hated by the English for their injustice and false judgment, that in the time of king Canutus they were for this cause banished; and it is the less probable that they, being so unjust themselves, should introduce so just laws as ours are.

Between the conquest of Normandy by Rollo and the invasion of England by duke William, there were not above one hundred and fifty years; that of Normandy was about anno 912; that of England, anno 1060.

It is not then consonant to reason, that those Normans, pagans, a rough martial people, descended from so many barbarous nations, should in the time of one hundred and fifty years establish such excellent laws among themselves, and so different from the French laws, among whom they were, and all parts in the world, except England.

And such laws which were not only fit for their dukedom and small territory, but fit also for this kingdom, which in those days was the second in Europe for antiquity and worth, by confession of most foreign historians.

If we will give credit to their own authors, this point will be sufficiently evinced by them; these words are in the proem of the Customary, which is entitled, *Descriptio Normanniæ:*

Hucusque Normannicæ consuetudinis latorem sive datorem, sanctum Edwardum Angliæ regem, &c.

The same is witnessed by *Chronica Chronicorum*, that St. Edward,

king of England, gave the laws to the Normans when he was long harboured there.

And that he made both the laws of England and Normandy, appears sufficiently by the conformity of them; for which he cites several particulars, as of appeals, and the custom of England *ad probandum aliquid per credentiam duodecim hominum vicinorum*, which, he saith, remained in Normandy to that day.

Polydore, forgetting himself what he wrote in another place, saith of king Henry the Seventh, that when a doubt was made upon the proposal of the marriage of his daughter to Scotland, that thereby England might in time be subject unto Scotland,

The king answered, *No;* and that England, as the greater, will draw to it Scotland, being the less, and incorporate it to the laws of England, as (saith the historian) it did Normandy, though the owner thereof was conqueror in England.

And sir Roger Owen, in his manuscript, affirms, that there is not any of our historians, that lived in the space of two hundred years immediately after the Conquest, which doth describe our laws to be taken away and the Norman customs introduced by the Conqueror.

Some of them (and not improbably) mention the alteration of some part of them, and the bringing in some Norman customs effectual for the keeping of the peace.

There is yet behind the great argument, most insisted on, and often urged by the gentlemen of another opinion, which is, the title of William, who is called *the Conqueror*, from whence they conclude, that by his conquest he changed the laws and government of this nation; and that his successors reckon the beginning of their reigns from his Conquest.

To this is answered, that *a posse ad esse non valet argumentum;* the conquering of the land is one thing, the introducing of new laws is another thing; but there is direct proof to the contrary of this argument.

Duke William never surnamed himself *the Conqueror*, nor was so called in his lifetime, as may appear by all the letters patents and deeds that he made, wherein he is called *Gulielmus Rex, Dux, &c.*, never *Conquestor;* and our ancient historians give him the same titles, and not that of *Conqueror*.

In the title of Nubrigensis's book he is surnamed *William the Bastard*.

Malmsbury calls him *Wil. I;* Hoveden, *Wil. the Elder*.

Adam de Monmouth saith, "that 1 Ed. III this word *Conquest* was found out to denote and distinguish the certain Edward, be-

cause two of the same name were predecessors to this king, and to the conqueror who claimed the crown as heir to Edward the Confessor; but," saith he, "we call him the Conquerer, for that he overcame Harold."

Duke William himself claimed to be king of England, as successor and adopted heir of the Confessor by his will, and Harold's renouncing of his title by oath.

The register of St. Alban's, Matthew Paris, and others, attest that the barons of England did homage to him as successor, and he relied on them in his foreign wars; and the check given to him by the Kentish men, and the forces gathered by the abbot of St. Alban's, brought him to engage to confirm the laws of the Confessor; and as his successor by legal right they admitted him to be their king.

Volaterus writes, that he was made heir to the Confessor, and was uncle to him.

Another affirms, that Edward by his will left England to him; Paulus Æmilius and Fulgasius are to the same purpose.

Pope Alexander the Second sent him a banner, as witness that with a safe conscience he might expel Harold the tyrant, because the crown was due to him by the Confessor's will and by Harold's oath.

Agreeable hereunto are Gemiticensis, Walsingham, Malmsbury, Huntington, Ingulphus, Paris, Pike, Wendover, Caxton, Gisborn, and others.

The ancient deeds of the abbey of Westminster (which were sometimes in my custody) do prove this.

King William, in his charter to them, sets forth his own title to the crown thus: *Beneficio concessionis et cognati mei gloriosi regis Edwardi.*

In his second charter, dated anno 15 of his reign, he saith, "In honour of king Edward, who made me his heir, and adopted me to rule over this nation."

In his charter, dated 1088, of the liberties of St. Martin's the Great, in the manuscript thereof, are these words:

"In example of Moses, who built the tabernacle, and of Solomon, who built the temple,

"*Ego Gulielmus Dei dispositione et consanguinitatis hæreditate Anglorum Basileus,*" &c.

The charter of Hen. I his son to this abbey: "In honour of Edward my kinsman, who adopted my father and his children to be heirs to this kingdom," &c.

In another charter of Henry I, in the book of Ely, he calls him-

self "the son of king William the Great, who by hereditary right succeeded king Edward."

It is true, that as to his pretence of title by the will of the Confessor, Matthew Paris objecteth, that "the device was void, being without the consent of the barons."

To which may be answered, that probably the law might be so in Henry III's time, when Paris wrote, and was so taken to be in the statute of Carlisle, and in the case of king John.

But at the time of duke William's invasion the law was taken to be, *that a kingdom might be transferred by will.*

So was that of Sixtus Rufus; and Asia came to the Romans by the will of king Attalus: the words by Annæus Florus are, *Populus Romanus bonorum meorum hæres esto.*

Bithynia came to the Romans by the last will of their king Nicomedes, which is remembered by Eutropius, together with that of Libya.

Cicero in his oration tells us, that the kingdom of Alexandria, by the last will of their king, was devolved to Rome.

And Prasitagus, rex Icenorum in England, upon his deathbed, gave his kingdom to the emperor Nero.

As to examples in this point at home, this king William the First, by his will, gave England to his younger son William Rufus.

King Stephen claimed by the will of Henry the First.

King Henry VIII had power by act of parliament to order the succession of the crown as he pleased by will.

And the lords of the council in queen Mary's time wrote to her, that the lady Jane's title to the crown was by the will and letters of Edward VI.

As the case of Henry VIII was by act of parliament, so duke William, after he had conquered Harold, was by the consent of the barons and people of England accepted for their king, and so his title by will confirmed.

And he both claimed and governed the kingdom as an heir and successor, confirmed their ancient laws, and ruled according to them.

This appears by *Chronica Chronicorum:* speaking of William the Bastard, king of England, and duke of Normandy, he saith, "that whereas St. Edward had no heir of England, William having conquered Harold the usurper, obtained the crown under this condition, that he should inviolably observe those laws given by the said Edward."

It is testified likewise by many of our historians that the ancient laws of England were confirmed by duke William.

Jornalensis saith, that out of the Merchenlage, West-Saxon lage, and Dane lage, the Confessor composed the common law, which remains to this day.

Malmsbury, who lived in duke William's time, saith, that the kings were sworn to observe the laws of the Confessor, "so called," saith he, "because he observed them most religiously."

But to make this point clear out of Ingulphus, he saith in the end of his Chronicle: "I, Ingulphus, brought with me from London into my monastery [Crowland] the laws of the most righteous king Edward, which my lord king William did command by his proclamation to be authentic and perpetual, and to be observed throughout the whole kingdom of England upon pain of most heinous punish- 481
ment."

The leiger book of the abbey of Waltham commends duke William for restoring the laws of the Englishmen out of the customs of their country.

Radburn follows this opinion, and these laws of Edward the Confessor are the same in part which are contained in our great charter of liberties.

A manuscript, entitled, *De gestis Anglorum*, saith, that at a parliament at London, 4 Wil. I, the lawyers also present, the king might hear their laws; he established St. Edward's laws, they being formerly used in king Edgar's time.

There is also mention of the twelve men out of every county, to deliver truly the state of their laws; the same is remembered by Selden, History of Tithes and Titles of Honour, and in a manuscript Chronicle bound with the book of Ely in Cotton's library.

One of the worthy gentlemen from whom I differ in opinion was pleased to say, that if William the Conqueror did not introduce the laws of Normandy into England, yet he conceives our laws to be brought out of France hither in the time of some other of our kings, who had large territories in France, and brought in their laws hither; else he wonders how our laws should be in French.

Sir, I shall endeavour to satisfy his wonder therein by and by; but first, with your leave, I shall offer to you some probabilities out of the history, that the laws of England were by some of those kings carried into France, rather than the laws of France brought hither.

This is expressly affirmed by Paulus Jovius, who writes, that when the English kings reigned in a great part of France, they taught the French their laws.

Sabellicus, a Venetian historian, writes, that the Normans in their manners and customs and laws followed the English.

Polydore Virgil, contradicting himself in another place than before cited, relates that in our king Henry VI's time, the duke of Bedford called together the chief men of all the cities in Normandy, and delivered in his oration to them the many benefits that the English afforded them, *especially in that the English gave to them their customs and laws.*

By the Chronicle of Eltham, Hen. V sent to Caen in Normandy, not only divines, but English common lawyers, by the agreement at Troys.

So there is much more probability that the laws of England were introduced into France and Normandy, than that the laws of Normandy, or any other part of France, were introduced in England.

If the Normans had been conquerors of England, as they were not, but their duke was only conqueror of Harold, and received as *hereditary* king of England; yet it is not probable they would have changed our laws and have introduced theirs, because they did not use to do so upon other conquests.

The Normans conquered the isles of Guernsey and Jersey, yet altered not their laws, which in their local customs are like unto ours.

The like they did in Sicily, Naples, and Apulia, where they were conquerors, yet the ancient laws of those countries were continued.

I hope, Mr. Speaker, I have by this time given some satisfaction to the worthy gentlemen who differed from me, that the laws of England were not imposed upon us by the Conqueror, nor brought over hither either out of Normandy or any other part of France, but are our ancient native laws. I must now come to endeavour also to satisfy the wonder, if they were not brought out of Normandy, or some other part of France, how come they then to be written in the French language?

Sir, it is to me an argument, that because they are written in French, therefore they were not brought in by duke William the Norman; for the French tongue was not the language of duke William and the Normans.

They had not been then in duke William's time past four descents in that part of France, and it is improbable that they in so short a time should lose their native tongue, and take up and use the language of another country, which was conquered by them.

The Normans came from Sweden, Gothland, Norway, and Denmark, between whose languages and with the High-Dutch, their neighbours, there is a great affinity; but between these languages and the French there is none at all.

Ulphilus holds that the Dutch tongue came from the Goths;

Jornandus saith, the Goths' tongue came from the Dutch: all agree that between those languages and the French there is no affinity.

It is so improbable that duke William should cause our laws to be in French, that when he proclaimed them, (as Ingulphus testifies,) he commanded that they should be used in the same language they were written (in English) to his justices, and gives the reason, lest by ignorance we should happen to break them.

But it hath been further objected, if duke William did not cause our laws to be written in French, what then should be the reason that the Grand Customary of his Norman laws were written in the French tongue?

The reason thereof is given, that the Normans, being a rough and martial people, had few clerks among them, but made use of those French among whom they then lived, and whose language they then began to be acquainted with and to understand.

But when they were in England they had not so much use of those clerks and that language, but more of the English.

And probably it might be, that the Confessor had been so long in France, that he was more master of that language than of the Norman; and that the Normans understood that language better than the English; and thereupon the Customary was written in the French tongue.

But it doth not therefore follow, that duke William must cause the English laws to be written in the French tongue; but it is more likely that he might cause them to be continued in their native idiom, which was much nearer in affinity to his own northern language than the French was.

That the French tongue was not introduced as to our laws and other things by duke William into England, appears, in that the French was in great use with us here both before and some time after his invasion.

Beda affirms, that in anno 640 it was the custom of England to send their daughters into the monasteries of France, to be brought up there, and that Ethelbert, Ethelwolf, Ethelred, and other Saxon kings, married into the royal blood of France.

Glabor notes, that before the time of duke William the Normans and English did so link together, that they were a terror to foreign nations.

Ingulphus saith, that the Saxon hand was used until the time of king Alfred, long before the time of duke William; and that he, being brought up by French teachers, used the French hand.

And he notes many charters of Edred and Edgar written in the

French hand, and some Saxon mixed with it, as in the book of Doomsday.

482 That Edward the Confessor, by reason of his long being in France, was turned into the French fashion, and all England with him.

But that Will. I commanded our laws to be written in the English tongue because most men understood it; and that there be many of his patents in the Saxon tongue.

I suppose we may be satisfied that Will. I did not cause our laws to be written in French, though the French language was much in use here before his time.

And if he did not introduce the French language into England, the argument falls, that because they are written in French, therefore he brought them in.

But, sir, I shall offer you some conjectures, how it came that our laws were written in French; which I suppose might be begun in the time of our king Hen. II, who was a Frenchman born, and had large territories and relations in France; many of his successors had the like, and very much to do in France, and with Frenchmen, of whom great numbers came into England; and they and the English matched and lived together, both here and in some parts of France.

Hence it came to pass (as Giraldus Cambrensis notes) that the English tongue was in great use in Bourdeaux, and in other parts of France where the Englishmen were resident and conversant: the like was, when the Frenchmen were so conversant in England.

Matthew Westminster writes, that he was in hazard of losing his living because he understood not the French tongue; and that in king Hen. II and king Stephen's time, who had large dominions in France their native country, and the number of French and of matches with them was so great, that one could hardly know who was French and who English.

Gervasius Tilsberiensis observes the same, and Brackland writes, that in Ric. Ist's time, preaching in England was in the French tongue; probably pleading might be so likewise: and in king John's time French was accounted as the mother tongue.

There are scarce any deeds of our kings in French before Hen. II's time; the most are in Ed. I and Ed. II's time.

That our laws were pleaded and written in French before Ed. III's time appears by the statute 36 Ed. III. c. 15. which recites the mischief of the law being in French, and enacts that the law shall thereafter be pleaded in English and enrolled in Latin.

This is one ground of the mistaken opinion of Lambert, Polydore,

Speed, and others, that duke William brought in hither both the Norman laws and language, which I apprehend to be fully answered, and the contrary manifested, by what I have said before on this subject.

Polydore's mistake may appear the more, when he asserts, that by this statute, 36 Ed. III, matters are to be enrolled in English, which is contrary to the express words, that they are to be enrolled in Latin.

Many of our law-books were written in Latin before the Norman invasion, as appears by the ancient rolls of manors and courts baron, and our old authors Glanvile, Bracton, Tilesbury, Hengham, Fleta, the Register, and Book of Entries.

The records at Westminster and the Tower, and other records yet extant, are in Latin, and many books of our law in Latin were translated into English about Ed. III's time.

Most of our statutes, from Ed. Ist's time till about the middle of Hen. VIIth's reign, are enrolled in French, notwithstanding this statute 36 Ed. III, except the statute 6 Ric. II, and some others in Latin.

Ric. II, Hen. IV, Hen. V, and Hen. VI used to write their letters in French, and some of our pleadings are in French, and in the common-pleas to our time.

But, sir, our law is *lex non scripta:* I mean our common-law, and our statutes, records, and books, which are written in French, are no argument that therefore the original of our laws is from France, but they were in being before any of the French language was in our laws.

Fortescue writes, that the English kept their accounts in French; yet doubtless they had accounts here and revenues before the French language was in use here.

My lord Coke saith, that the Conqueror taught the English the Norman terms of hawking, hunting, gaming, &c., yet no doubt but that these recreations were in use with us before his time.

And though duke William, or any other of our kings before or after his time, did bring in the French tongue amongst us, yet that is no argument that he or they did change or introduce our laws, which undoubtedly were here long before those times; and some of them, when the French tongue was so much in use here, were translated, written and pleaded and recorded in the French tongue, yet remained the same laws still.

And from that great use of the French tongue here it was, that the reporters of our law cases and judgments which were in those

times did write their reports in French, which was the pure French in that time, though mixed with some words of art.

Those terms of art were taken many of them from the Saxon tongue, as may be seen by them yet used. And the reporters of later times, and our students at this day, use to take their notes in French, following the old reports which they had studied, and the old French which (as in other languages) by time came to be varied.

I shall not deny but that some monks in elder times, and some clerks and officers, might have a cunning, for their private honour and profit, to keep up a mystery, to have as much as they could of our laws to be in a kind of mystery to the vulgar, to be the less understood by them.

But the counsellors at law and judges can have no advantage by it; but perhaps it would be found, that the law being in English, and generally more understood, yet not sufficiently, would occasion the more suits.

And possibly there may be something of the like nature as to the *court-hand;* yet if the more common hands were used in our law-writings, they would be the more subject to change, as the English and other languages are, but not the Latin.

Surely the French tongue used in our reports and law-books deserves not to be so enviously decried as it is by Polydore, Aliott, Daniel, Hottoman, Cowel, and other censurers.

But, Mr. Speaker, if I have been tedious, I humbly ask your pardon, and have the more hopes to obtain it from so many worthy English gentlemen, when that which I have said was chiefly in vindication of their own native laws, unto which I held myself the more obliged by the duty of my profession; and I account it an honour to me to be a lawyer.

As to the debate and matter of the act now before you, I have delivered no opinion against it, nor do I think it reasonable that the generality of the people of England should, by an implicit faith, depend upon the knowledge of others in that which concerns them most of all.

483 It was the Romish policy to keep them in ignorance of matters pertaining to their souls' health; let them not be in ignorance of matters pertaining to their bodies, estates, and all their worldly comfort.

It is not unreasonable that the law should be in that language which may best be understood by those whose lives and fortunes are subject to it, and are to be governed by it.

Moses read all the laws openly before the people in their mother tongue; God directed him to write it, and to expound it to the people in their own native language; that what concerned their lives, liberties, and estates, might be made known unto them in the most perspicuous way.

The laws of the eastern nations were in their proper tongue.

The laws at Constantinople were in Greek, at Rome in Latin; in France, Spain, Germany, Sweden, Denmark, and other nations, their laws are published in their native idiom.

For your own country, there is no man that can read the Saxon character but may find the laws of your ancestors yet extant in the English tongue.

Duke William himself commanded the laws to be proclaimed in English, that none might pretend ignorance of them.

It was the judgment of the parliament, 36 Edw. III, that pleadings should be in English; and in the reigns of those kings, when our statutes were enrolled in French and English, yet then the sheriffs in their several counties were to proclaim them in English.

I shall conclude with a complaint of what I have met with abroad from some military persons, nothing but scoffs and invectives against our law, and threats to take it away; but the law is above the reach of those weapons, which at one time or another will return upon those that use them.

Solid arguments, strong reasons and authorities, are more fit for confutation of any error, and satisfaction of different judgments. When the emperor took a bishop in complete armour in a battle, he sent the armour to the pope with this word, *Hæccine sunt vestes filii tui?*

So may I say to those gentlemen abroad, as to their railings, taunts, and threats against the law, *Hæccine sunt argumenta horum antinomianorum?* They will be found of no force, but recoiling arms.

Nor is it ingenuous or prudent for Englishmen to deprave their birthright, the laws of their own country.

But to return to the matter in debate, I can find neither strangeness nor foresee great inconvenience by passing of this act; and therefore if the house shall think fit to have the question put for the passing of it, I am ready to give my affirmative.

The question being put,

It was unanimously carried, that the act should pass, for turning the law-books and the process and proceedings in the courts of justice into English.

23. Letters from Scotland of the proceedings of the army

in mining Edinburgh-castle, and that part of the king's house there was burnt.

25. Letters that the Scots officers had sent to break off any treaty of accommodation, and that they were to have a general meeting for reconciling all parties:

Kirk. That among some tories taken in Scotland one was an elder of the kirk, who confessed the killing of some of the English, being instigated by the ministers:

That colonel Monk had taken in the strong castle of Roswel:

That the Scots were agreed amongst themselves, and raising forces to recruit their army to thirty thousand.

Ireland. 26. Letters that colonel Axtel, governor of Kilkenny, marched forth with about eight hundred horse and foot to relieve the parliament's garrison, and met with three thousand foot and three hundred horse, under Clanrickard, who had taken some of the parliament's garrisons, and blocked up a pass:

Victory. That colonel Axtel faced a pass which was strongly fortified, and manned with horse and foot, and a deep river between him and the enemy; they had an hour's dispute on both sides the river, in which the enemy lost one hundred and fifty men, Axtel lost but one lieutenant, and six wounded:

That by reason of the steepness of the banks of the river, the soldiers could not get up, and so retreated:

C. Axtel. That Axtel having an additional strength, in all eighteen hundred foot, and one thousand horse and dragoons, he advanced towards the enemy, who were above four thousand, and got into an island, into which there is one pass, with a bog on each side, and the pass fortified in several places, one behind another, as reserves; all which must be gained before one could enter into the island:

That Axtel's men made an attempt upon the enemy about an hour before night, and after a small dispute gained two of their guards, and at the third guard they came to the but-end of the musket; but Axtel's men forced their entrance into the island, and the enemy were totally routed:

That they lost all their arms, two hundred horse, all their wagons, oxen, tents, and what was in the camp of provisions and ammunition:

That besides those that were killed, many of the Irish were drowned:

That five hundred of them were driven into the Shannon by a party of the parliament's horse, and were drowned all in one company together:

That not above three hundred of their whole party escaped, yet Axtel lost but one captain, Goffe, with eight common soldiers, and twenty wounded:

That after this defeat the enemy fired and quitted the garrisons they had taken, and fled, and Axtel returned to Kilkenny:

That the next day he marched out again, to find out another party of the enemy, who infested that country:

That Nenagh-castle was surrendered to the lieutenant-deputy, who drew off from Limerick by reason of the unseasonable time of the year.

Upon reading of this letter in the house, they ordered thanks to be given the next Lord's-day in the several churches in London for this victory.

The act passed for the 120,000*l.* assessment per mensem.

27. Letters of the refractoriness of the magistrates and ministers of Weymouth to the parliament's orders.

28. Letters that colonel Cooke with three thousand men fell upon the enemy, being five thousand, routed and killed of them about fifteen hundred near Limerick:

That three ships were wrecked near Plymouth by storms.

29. Letters that colonel Blake, hearing of a French man of war lying to take the English merchants coming out of the Straits, he with the Phœnix and his own frigate found out and fell upon the Frenchman, and after some hours' fight took and brought her into Cadiz: Blake.

That colonel Mildmay took another French ship laden with rich commodities.

30. Letters that the Jersey pirates took two Dartmouth ships and three other ships. 484

Of the increase of the plague about Exeter.

That by great shot from the castle eight or nine persons were killed, most of them Scots, and three women.

December 1650.

2. Letters of an insurrection in Norfolk begun for the king, but soon dispersed by some troops of colonel Rich's regiment.

Letters of colonel Monk's being set down before Brothwick-castle: and of a ship with arms come into the enemy:

Scots. That some differences were between the committee of estates and the kirk about their general meeting, but overvoted by the ministers to comply with the king:

Portugal. That upon the news of the parliament's victory in Scotland the king of Portugal released the English merchants, and resolved to send an ambassador into England to the parliament.

A soldier sentenced to death for running away from his colours upon his march to Scotland.

3. An act passed for Mr. Manby, that no other shall make use of his invention for boiling of liquors for fourteen years.

Sermon. 4. Letters of a minister at Taunton endeavouring in his sermon to possess the people that the present magistrates in England were against Jesus Christ.

5. That some London ships in fight with French ships fired themselves and the French together:

That the French ship taken by colonel Blake was worth a million.

6. Letters that Whaley and others, to the number of five thousand men, were marched towards Scotland to join with the army:

That in his march he took in Dalkeith-castle, the wall whereof was thirteen foot broad at the top, and in it he took store of arms, ammunition, and provisions:

That the English soldiers married divers of the Scots women.

7. An account to the parliament by an officer of colonel Rich, who was present at the suppressing the insurrection in Norfolk.

9. Letters that colonel Ker attempting to fall on major-general Lambert in his quarters, his men took the alarm, encompassed colonel Ker's men, being all horse, killed a hundred of them, took a hundred prisoners and four hundred horse:

Scots. That the kingly party carried it to vote colonel Strachan's declaration to be scandalous and tending to division, but questioned none of the parties to it; but divers lords and ministers protested against this vote:

That the first of January next the king's coronation is

appointed, and in the meantime two fasts, one for the sins of the king and his family, the other for the sins of the kirk and state.

10. An act passed for establishing an high court of justice in Norfolk, &c. for punishing the late insurrections there.

Votes passed touching additional pay for the soldiers, and for preventing of free quarter.

11. Letters of the death of the queen regent of France.

Of letters come to the Spanish ambassador at London carried first to the council of state.

12. Letters of the militia settled in several places.

Of the ceasing of the plague in Shrewsbury, and thereupon that the markets were as full as ever.

13. Letters that in the pursuit of colonel Ker's men the colonel himself was taken prisoner and wounded:

That yet the Scots reported major-general Lambert was taken prisoner and all his party, five regiments defeated; and a Scotchman swore that he saw major-general Lambert and twelve colours carried into Stirling:

That the king is to make his repentance for his endeavour to escape:

That the purging of the kirk and state is intended, but no malignant to be excluded; but those of the honest party to be laid aside.

14. Letters that one Livingston, a minister, one of the commissioners sent to the king at Breda, came to the committee of estates professing sorrow for his acting as a commissioner, and that the blood spilt at Dunbar lay upon the commissioners; that he would retire and repent:

That captain Hammond was killed from the castle:

That the great guns and a mortar-piece were come from London to Leith, and

That the soldiers were much pleased with the good biscuit sent them from London.

16. Letters from the general to the speaker of the results of the treaties with colonel Strachan and other Scots officers, and an account of the defeat given to colonel Ker: Letters from Cromwell.

That there is a great distraction and mighty workings of God upon the hearts of divers religious people in Scotland, both ministers and others, much of it tending to the justification of your cause.

Declarations. A declaration was published in Scotland of the king and committee of estates, concerning the remonstrance of colonel Strachan and his party.

And another declaration and resolution of the general assembly of the kirk of Scotland.

17. An act passed for continuing two former acts touching elections in London of common-councilmen, &c.

Vote that the fee called *damna clericorum* or *damage cleer*, shall be taken away, and an act to be brought in for that purpose.

An act passed for the sale of the lord Deincourt's lands.

High court of justice. Upon a report from the council of state of all the proceedings of the high court of justice upon the trial of the king, the house ordered them to be recorded amongst the records of parliament, and to be transmitted into the chancery and other courts at Westminster, and to the *custos rotulorum* of the several counties.

That an ambassador from the king of Portugal to the parliament was arrived in the Isle of Wight.

Blake. 18. Letters from the admirals at sea, that upon a letter from the council of state to improve all opportunities for the service of the state, he took the French man of war and went on in pursuit of prince Rupert:

That Blake pursued the prince to the port of Carthagena belonging to the king of Spain, where the prince with five ships was put in, and Blake sent to the governor that an enemy to the state of England was come thither.

That he had orders from the parliament to pursue him, &c. and the king of Spain being in amity with the parliament, Blake desired leave to take all advantages there against an enemy.

485 To this the governor returned answer, that he could not take any notice of the difference of any nations or persons among themselves, only such as were declared enemies to the king his master; that they came in thither for safety, and therefore he could not but give them protection, and that he would do the like to them, assuring them all safety if they also did come in whilst they should stay there.

That Blake sent a reply, pressing the governor for leave to fall upon the prince, and thanking him for his offer to himself; but the governor sent to the king of Spain to know his

pleasure herein, and in the mean time Blake waited without the harbour.

That since the defeat of colonel Ker they took a hundred horse more about Aire, and colonel Strachan came in to major-general Lambert with about sixty horse, many of them officers.

Jasper Collins was hanged at Charing-cross for extorting money from the country, and other outrages, as he marched with recruits towards Ireland.

Another was tied by the thumbs to the gibbet, for concealing a design to betray Wallingford-castle, where he was a soldier.

Two others whipped at the gibbet for running from their colours.

19. Letters that the money and supplies sent from the parliament to the army were arrived at Leith:

That three of the parliament's soldiers defended a weak house three hours together in their shirts against a hundred moss-troopers.

20. Letters that prince Rupert came to Malaga and other ports, and fired and sunk divers English merchant ships, and demanded the master of a London ship who had signed the petition against the personal treaty, saying that he would boil him in pitch; but the governor of Malaga refused to deliver up the master to him.

Of a French ship sent in prize to Pool by captain Mildmay.

21. Letters that Blake fell upon prince Rupert in Malaga road, sunk two or three of his ships, run on shore and exposed to shipwreck the rest of his fleet, only two ships escaped, wherein it is conceived prince Rupert and his brother prince Maurice were, and Blake in chase of them: Blake.

That when the great guns and mortar-pieces played against Edinburgh-castle, they hung out a flag of defiance; but after they had played a while, and some execution done by them, those in the castle hung out another flag for a treaty, Scotland.

And sent a messenger to the general that they might have time to send to their friends at Stirling, to know by what time they might expect relief from them, and if their expectation was not answered therein, that then they would treat for surrender of the castle;

Or if this should be denied, then they desired that some of the Scots prisoners with the general might be permitted to come into the castle to speak with them; which the general granted:

That the soldiers in the castle were many of them sick, for want of water.

23. Letters that the battery went on against Edinburgh-castle, and dismounted three of their guns, and shattered their platform in pieces.

Copies sent to the parliament of the summons sent by the general to the governor of Edinburgh-castle, with his answer and the general's replies.

24. Upon a petition of the adventurers for lands in Ireland, a committee appointed to consider of it, and to state the matter of fact of that business.

An act passed giving power to the lieutenant-general, deputy, and commissioners of Ireland; and declaring several laws to be in force in Ireland.

Order touching the trade of gold and silver wire.

A safe conduct granted for the ambassador of Portugal to repair to London.

Spanish ambassador. Upon information by the speaker that the Spanish ambassador had been with him, and delivered to him a copy of the credentials directed to the parliament of the commonwealth of England, and signed by the king of Spain, the house ordered that the ambassador should have audience.

The general sent his letter to the commanders at Chester, Conwey, and other parts, commanding that none of the soldiers offer to give any disturbance to justice in the case of Cheadle, who had murdered Bulkeley.

Letters that the high court of justice at Norfolk had condemned six of the mutineers in the late insurrection, who were executed at Norwich.

Blake. 25. Letters that prince Rupert was got on shore in Spain, and being demanded by colonel Blake, the king of Spain refused the person of the prince, but sent a messenger to the parliament about it.

26. Letters that sir Arthur Haselrigge and Mr. Scot, members of the council of state, were come to Edinburgh:

Scotland. That the king made a speech in the parliament at St. John-

ston, expressing much joy that he was the first covenanted king of the nation.

27. Letters that major-general Lambert was come to Edinburgh with colonel Ker and other prisoners:

That after much execution done by the great guns and mortar-pieces in Edinburgh-castle, and the general denying them to send to the committee of estates,

The governor admitted a treaty, and the commissioners agreed upon the surrender of the castle to the lord-general Cromwell, with all the ordnance, arms, magazine, and furniture of war, upon honourable articles; and hostages given to perform them: Edinburgh-castle surrendered.

That in the castle were fifty-two pieces of ordnance, many of them brass, ten thousand arms, and great store of ammunition and provisions.

28. The general published a proclamation for the observation of the articles for surrender of Edinburgh-castle by all the officers and soldiers of his army, on pain of death.

30. An account of the surrender of Edinburgh-castle, with a copy of the articles of rendition, sent up to the parliament.

This was related to be the first time that Edinburgh-castle was taken, being the strongest and best fortified and provided in Scotland.

The goods in it were of great value, but by the articles the owners had liberty to fetch them away.

The taking in of this chief strength, the army not being far off, yet affording no relief, was looked upon as very strange in relation to them, and very successful as to the general and the affairs of parliament.

Letters that the governor of Carlisle sent a party of a thousand into Scotland, who took in some small forts and divers prisoners and goods:

The high court of justice proceeded to the trial of several more offenders in the late insurrection in Norfolk.

31. Upon the general's letters of the surrender of Edin- 486
burgh-castle, the house ordered a day of thanksgiving for that and the other late successes of the parliament's forces.

The Spanish ambassador had audience in the house with much ceremony.

January 1650.

1. A particular account of the whole action of general Blake in destroying of prince Rupert's fleet.

Letters of a ship cast away in the west, and upon the ship-wreck a man and a boy were cast into a clift, and saved alive after they had lain there from Tuesday until Friday.

2. An examination of a prisoner, who related the danger of the lord Ormond, Inchequin, and others of the king's party at sea, from Ireland, and that the popish clergy had excommunicated Ormond and all his adherents:

That the Irish were got together, seven thousand foot and one thousand five hundred horse.

3. A corporal hanged for taking a mare from a constable, and beating and wounding him, and making uproars in the town, and affrighting the people.

Another ran the gantelope for drunkenness and being found in bed with a woman not his wife.

Scots. Others whipped for running from their colours.

4. Letters that the court at Stirling were much troubled at the surrender of Edinburgh-castle.

6. Letters that the Scots are agreed to make use of all sorts of their people in their defensive war, and commissions are given to the malignants; but divers thereupon have laid down their commands, and are dissatisfied:

That the kirk were now as zealous to admit the malignants as they were formerly to purge them out of the army:

That the kirk have commanded notice to be taken in every parish of those that speak favourably of the sectaries, that they may be excommunicated;

And that he is called a sectary who talks of a malignant:

That the English malignants are all received again:

High court of justice. That the high court of justice in Norfolk had condemned twenty-four persons for the late insurrection, of whom twenty were executed.

7. An act passed for setting apart the day for public thanksgiving, and a declaration of the grounds thereof.

Several votes passed touching the public accounts of the commonwealth, and augmentations for maintenance of ministers.

8. Letters that the Irish would have cast off their king, because of his agreeing with the Scots and disowning his father's ways. But, Ireland.

That others excused the king, as forced to do what he did in Scotland.

9. Letters that some merchants' ships of England making a stop at Crock-haven in Ireland, the Irish came on board them, and pretended that they were weary of the king's ministers, and would be for the parliament of England; whereupon the masters of the ships invited them to dinner on shipboard, and they again invited the masters to a dinner with them on shore.

That whilst the masters were at dinner with the Irish, they had fitted out some boats with men, and went and surprised and took the ships and all the men left in them.

10. The Portugal ambassador had audience in the house, and delivered his credential letters, being rightly directed, *Prolocutori parliamenti reipublicæ Angliæ*, else they would not have received them. Portugal ambassador.

11. A committee was appointed to meet with the Portugal ambassador, who spake to them in his own language, the Portuguese tongue, and recounted the ancient amity between the crown of Portugal and the commonwealth of England, the continuance whereof, he said, was desired by the king his master.

The chairman of the committee answered, that they would report to the parliament what his excellency had said to them. And so, after ceremonies, they parted. The committee came in with the mace before them into the court of wards' chamber, prepared for the ambassador after he was come thither; but the ambassador went first away.

Letters of the crowning of the king at Scone in Scotland, the first of January, but not with much state. Coronation at Scone.

13. Letters of the ceremonies of the king's coronation, their bonfires, scattering of moneys, riding in their parliament robes, healths, and other solemnities:

That their great business is to levy new forces; all are received that will come in against the common enemy, the English. Two ministers were imprisoned for speaking against this.

That the south of Scotland do conform to the English army, pay contribution, and remain in their habitations:

That divers of the soldiers who were in Edinburgh-castle were imprisoned after the surrender of it for mutiny and forcing their governor to yield it up:

That the Scots intend with a new army to slip into England:

That the marquis of Argyle and two of the clergy put the crown upon the king's head, which was silver double gilt.

Order for 10*l.* to be given to any one who shall apprehend a felon, and the sheriff to pay it.

14. An act passed for continuance of the committee of the army and treasurers at war.

An act passed for encouraging the importation of bullion.

Great seal. An act passed to authorize the lords commissioners of the great seal to issue forth commissions under the great seal to delegates, to hear and determine the business of Mrs. Puckering and Mr. Welch, who forced her to speak words of marriage to him, and carried her forcibly out of England to Dunkirk.

And the commissioners to have power to send for parties, and to examine all pretended marriages of this nature; and as they find, by the proofs brought before them, to give sentence, either to confirm or make void the said marriages.

An act passed for taking away damage-cleer.

Scotland. Letters that the king was appointed captain-general of the Scots army; and duke Hamilton is to be lieutenant-general, David Lesley to be major-general, and Middleton lieutenant-general of the horse, and Massey to be major-general of the English.

25. Letters of a woman hanged at Oxford, who was recovered to life again by the doctors, and said that she felt no pain, nor remembered any thing that was done to her at that time.

487 16. Letters that general Blake sent in four prizes: one was Blake. a French man of war, with forty copper guns, whose captain being commanded on board by general Blake, he asked him if he was willing to lay down his sword; the captain answered, *No:*

Then Blake bid him return to his ship, and fight it out as

long as he was able; which he did; and after two hours' fight he came in and submitted, and kissing his sword delivered it to Blake, who sent him and his ship with the rest into England.

17. Letters of a remonstrance of divers ministers sent to the commissioners of the kirk against their present proceedings, but the ministers were threatened to be proceeded against unless they desist.

18. Letters that the Scots army was eight thousand horse and eight thousand foot, and they resolved to bring it up to fifty thousand, and then to give battle to the English army:

That colonel Fenwick took possession of Edinburgh-castle, as governor thereof:

That a party of dragoons took a ship laden with herrings going to the Scots.

20. Letters that at the coronation of the king in Scotland many speeches were made to him; and the kirk promised him good success, if he did hearken to their council:

That he gave them fair answers, and signed the covenant, and promised to defend them, and maintain their laws, government, and covenant:

That a party of eight hundred choice horse attempted the quarters of the English at Linlithgow, but were beaten back.

Letters of great mischiefs, murders, and plunderings by the tories in Ireland, many of whom the governor of Dublin had killed and taken:

That the governor is turning the papists out of Dublin.

21. A pardon granted to four persons condemned to die by the high court of justice for the late insurrection in Norfolk.

A new seal for the parliament approved, and an act passed for the use of it, and that it shall be treason to counterfeit it. New seal.

22. Letters that at the assizes at Taunton two men accused a poor fellow, and preferred eight indictments against him, for stealing eight sheep; but upon the trial some (being accidentally present) came in as witnesses, and fully proved that those eight sheep were stolen by the accusers themselves, who were indicted for it, and hardly escaped the gallows.

Letters that the States of Holland, Zealand, and Gronin-

gen did acknowledge the parliament of the commonwealth of England.

23. Letters that one Story, a soldier, was hanged by sentence of the court martial for killing a countryman; and another soldier, accessory to it, was hanged on the same gibbet whilst one walked ten paces; and was then cut down, and recovered to life again.

24. Letters that some countrymen, Scots, were hanged in chains by sentence of the judge advocate of the English army for killing some of the English soldiers:

That several rendezvouses of the Scots army were appointed, and the king present at them:

Kirk. That the commissioners of the kirk presented a remonstrance to the king at St. Johnston.

25. Letters that the kirk pressed the king to humble himself, and to quit the nation of their enemies now in the bowels of the kingdom.

27. Letters of a mutiny at Stirling, which David Lesley had much to do to appease:

That the general intends to attempt Hume-castle:

That a ship laden with clothes and provisions from London submitted to a garrison of the Scots on the sea, through the malignancy of the master:

Kirk. That the kirk set forth an exhortation to their brethren at Edinburgh from communion with the English or any that desert the kirk:

That there were jealousies between Argyle and Hamilton.

28. An act passed for continuing the act for the militia.

A charge of the grand jury of Northumberland against one Musgrave, who had much traduced sir Arthur Haselrigge, ordered by the council of state, and Musgrave committed.

Ayscam. 29. Letters that means are used in Spain by the king and his council to give satisfaction to the parliament of England for the murder of their public agent Mr. Ayscam there, but that the church opposed the punishing of the murderers, being fled to sanctuary.

But the parliament insisted upon it to the Spanish ambassador here to have them punished, or no further treaty with that crown.

30. Letters of divisions among the Irish by the popish clergy;

And opposition made against Ormond and Inchequin:

That the rebels in Kerry, being five thousand foot and five hundred horse, dispersed the quarters of colonel le Hunt; and that major-general Waller was gone to fight them:

That divers robberies and murders were committed near Tadcaster; and the thieves demanded of those they robbed whether they had taken the engagement.

31. Letters of the king's going about to several rendezvouses and garrisons to encourage the soldiers:

That a party of horse from Stirling took seven or eight straggling soldiers of the parliament's.

February 1650.

1. The parliament appointed the lord chief justice St. John and Mr. Strickland to go ambassadors extraordinary to the States of the United Provinces. Strickland had been agent there before, and for his experience thought fit to be sent with St. John, who was Cromwell's creature; and his disposition suited with such an employment, which met with good abilities, though not much versed in foreign affairs or languages. Ambassadors to the States.

Mr. Strickland was an honest rational gentleman, and versed in the Dutch business; but St. John was looked upon as the principal man.

The number of men and ships agreed upon for the reducing of Barbadoes.

A difference between colonel Sidney, governor of Dover, and his officers, referred to the council of state.

3. Letters of an alarm taken by the enemy at Stirling, upon notice that the English army intended a march thither:

That many of their new listed men run away:

That colonel Fenwick summoned Hume-castle to be surrendered to general Cromwell; but the governor answered, that he knew not Cromwell, and for his castle, it was built upon a rock: Hume-castle.

That the general assembly of the rebels in Ireland, which 488
they call their parliament, declared their due and perfect obedience to his majesty; yet that they will insist upon the articles of peace, and provide against the violation of them:

And that the king being in the hands of the Scots presbyterians, who had vowed the extirpation of their religion, they

would receive no governor from him whilst he was in this unfree condition.

King's arms. 4. Order that the king's arms be taken down in all public places, and the arms of the commonwealth set up in the room thereof, and the charge of it paid out of the parish-rates; and the justices of peace, churchwardens, and other officers, to see this order executed.

An additional act passed for the sale of fee-farm rents.

Letters of the commissioners' safe arrival in Ireland.

5. Letters that the ministers about Liverpool refused to observe the thanksgiving-day:

Of several prizes brought in.

Ministry. 6. Letters of an agreement of the ministers of Somerset and Devon to refuse subscribing the engagement, or observing the orders of parliament:

That colonel Pine's militia regiment of twelve hundred had a rendezvous, and showed great forwardness.

Hume-castle. 7. Letters that colonel Fenwick with the great guns played against Hume-castle, and that the governor sent this letter to him:

I, William of the wastle,
Am now in my castle,
And awe the dogs in the town
Shand garre me gang down.

Letters of a party pursuing the earl of Castlehaven in Ireland, and that corn is extreme dear there:

That liberty being given to the Dutch to carry provisions custom-free to the parliament's army in Scotland, many Dutch ships are preparing to supply the army.

Letters of an Ostender refusing to come in to one of the parliament's frigates, she sunk the Ostender.

Fenwick. 10. Letters that the mortar-pieces had done great execution against Hume-castle, and spoiled many rich goods there, and the great guns had made breaches; whereupon colonel Fenwick resolved upon a storm, and the officers cast lots who should lead on to it:

But the governor beat a parley; Fenwick refused to treat, unless they would presently surrender upon quarter for life; which they did; and Fenwick appointed some officers to look to the equal sharing of the goods among his soldiers, only

the governor's lady had liberty to carry out some of her goods and bedding for her accommodation:

That the army began their march with eight regiments of foot and nine of horse towards Stirling:

That there are great divisions among the Scots.

11. Vote, that the council of state should be altered for the year ensuing, twenty-one of the old members to continue in still, and twenty new members to be chosen in: Council of state.

This was done by way of ballotting.

The old members which continued were, Cromwell, Bradshaw, Rolles, St. John, Skippon, sir Arthur Haselrigge, sir Gilbert Pickering, sir Henry Vane, junior, sir William Masham, sir William Armyn, sir Henry Mildmay, sir James Harrington, Whitelocke, Lisle, lord Grey, colonel Purefoy, Scot, Challoner, Walton, Bond, Gordon.

The names of the new members were, sir Thomas Widdrington, Prideaux, major-general Harrison, Strickland, lieutenant-general Fleetwood, sir John Trevor, sir William Brereton, sir John Bouchier, Love, Allen, Salwey, Lister, Thompson, Cary, Fielder, Darley, Say, Cawley, Goodwyn, Lemman.

12. Letters of a court martial at Plymouth; they began with prayer, and condemned three soldiers to die for running away from their colours. Court martial.

13. Letters of a ship taken at Pool by the pirates, pretending commission from the king.

14. Letters that the Scots, in a village called Geddard, rose and armed themselves, and set upon captain Dawson as he returned from pursuing some moss-troopers, killed his guide and trumpet, and took him and eight of his party; and after they had given them quarter, killed them all in cold blood:

That the lord deputy had scattered the rebels, and was returned to Dublin.

15. Letters that the general marched with his army three days westward, but by reason of the extreme snow and storms they were forced to return back to Edinburgh: Cromwell.

That the enemy were sufficiently alarmed by this march, and fled to Stirling, but none appeared against the English.

17. Letters that the general had been ill in Scotland, and some miscarriages in some of the soldiers in their late march, which were punished;

And the general set out a proclamation, that none should buy any goods of soldiers without their officers' hands to attest it:

That general Ruthen was dead, and the cavaliers of the deepest dye hold colour best in Scotland:

That the presbyterians see how they are deceived, and preach against them as much as they dare:

That Tantallon-castle was besieged by colonel Monk, and the town was burnt by the governor.

Ireland. 18. Letters that sir Hardress Waller and colonel Cromwell had relieved the English garrisons in Kerry, and taken four from the Irish, and made their army fly, and killed as many of them as they found:

That in the mean time the Irish got together in a body from several places, imagining the English could not draw forth another party of any strength to oppose them:

But by reason of divisions among themselves, the Irish could not have a conjunction and body together above three or four thousand.

That the English drew all the strength they could against them, but could not attack them.

Blake. General Blake had the thanks of the house for his great and faithful service.

Instructions and credentials passed for the ambassadors to be sent to the United Provinces.

19. Letters that the Irish being abroad in several parties, colonel Reynolds with one party and colonel Hewson with another were out to attend the motions of the enemy:

That four parliament troopers were taken by the Scots
489 near Carlisle, three of them were killed, and the fourth saved his life by swearing he was a Scot:

That the Scots would laugh in the faces of the English, and take the next opportunity to cut their throats.

20. Letters of disturbance of the execution of the militia about Cambridgeshire by some of the commissioners being malignants.

21. Letters of recruits in Cornwall readily coming to be under sir Hardress Waller in Ireland:

That the settling of the militia and subscribing the engagement goes on readily in those parts.

That the Scilly pirates took a rich Londoner, and several

merchant-men have been taken on the western coast by the Jersey pirates.

22. Letters that the ministers about Northampton did generally refuse to take the engagement.

24. Letters that a hoy of Hamburgh coming with cheese for Leith, and brought by stress of weather into the north of Scotland, was there seized on and examined, and showed cockets for Havre-de-grace in France, whereupon he was dismissed, and a Scotsman embarked with him for Havre-de-grace.

The Hamburgher, having thus got free, brought his cheese and the Scotsman to Leith.

Mr. Fry, a member of parliament, being accused by colonel Downes, another member in parliament, for a book written by Mr. Fry, and Mr. Fry having printed another book with all this matter in it; Mr. Fry's book.

The house voted this to be a breach of the privilege of parliament.

They voted other matters in the book to be erroneous, profane, and highly scandalous:

That the book be burnt, and Mr. Fry disabled to sit in parliament as a member thereof.

Several persons executed for robbing the Charter-house hospital.

25. Letters that the lord deputy had settled the customs at Waterford and those parts, and encouraged the natives to plough and sow their land, and restrained the killing of lambs: Ireland.

That the plague was broken out at Waterford, whereupon the lord deputy removed to Kilkenny, to be nearer to the enemy:

That two troops fell upon the tories, killed about fifty of them, and took some prisoners:

That the soldiers were in great want of victuals and clothes.

Proposals were agreed by the lord deputy, and his commission granted to colonel Lawrence for raising a regiment of twelve hundred in England, and to transport them to Waterford. The parliament approved of them, and referred it to the lord deputy and the commissioners in Ireland to see them executed.

Referred to the council of state to order the stores and

magazines both for sea and land service as they shall think best for the advantage of the commonwealth.

Pardons passed for divers poor prisoners upon certificates of the judges.

Order for an act to confine papists and delinquents to their houses.

Letters that the king was active in surveying his garrisons and new levies.

26. Letters that two Dutchmen laden with salt came to an anchor within half a league of Dartmouth-castle; that presently after, two Jersey pirates came up with them, cut their cables by the half, and carried them away:

That the castle shot at them, but could not reach them.

27. Order by the parliament that the officers for the recruits of Ireland shall constantly attend their charges, and the forces to march directly to their ports, and in their march to quarter in inns and alehouses, and to pay for what they have.

Referred to the council of state to send this order into the several counties where the recruits are to pass to the commissioners of the militia, and for the assessment, and to the constables, that it be observed.

28. Letters that the Irish having distressed a party of the parliament's forces, another commanded party marched from Kilkenny to relieve them, and after five weeks' march in such a season of the year, into such inaccessible places, they scattered the enemy, driving them out of many strong holds, some whereof they had taken from the parliament's forces:

That after pursuing them with fire and sword, and utterly destroying that part of the country, which was part of the enemy's chief fastness and refuge, in their return home, the parliament's foot engaged with the enemy's at their own play and upon their own terms, in such fastnesses of woods and bogs, that the parliament's horse could not come near.

But God showing himself, the Irish were not able to abide, but quickly fled, leaving their ammunition and store of their arms behind them: and some hundreds of them fell by the sword in this expedition.

March 1650.

1. Letters of Jersey pirates very bold upon the western coast:

That Tantallon-castle in Scotland, after battery and playing with granados, was surrendered upon mercy, there being in it ninety-one officers and soldiers, and that this cleared the passage between Edinburgh and Berwick. Scotland.

The high court of justice sentenced sir Henry Hyde, late agent for the king in Turkey, to be beheaded for sundry treasons and crimes committed by him against the commonwealth.

3. Letters that the general and officers of the army in Scotland kept a day of humiliation for the sins of the army:

That thirty sail of ships were lately come into Leith with supplies from London for the army; that one of them was cast away:

That the king went into the north of Scotland to hasten the levies, and came to Aberdeen to compose their differences; but the presbytery there opposed their proceedings, especially in the receiving of Huntley; and that the chancellor's power is down:

That Faux-castle was surrendered to the general:

That the country about Edinburgh sent in one hundred horse for assistance of the general:

That colonel Ludlow shipped with his men for Ireland.

4. The parliament ordered a day to be set apart to seek a blessing from God upon their councils at home and their forces abroad by sea and land.

An act passed for colonel Popham and colonel Blake and colonel Dean, or any two of them, to be admirals and generals of the fleet for the year ensuing. Admirals.

An act empowering the council of state and the admirals at sea, for the pressing of men as there shall be cause. 490

Amendments passed to a bill for a new invention in melting down of metals with coal.

5. No letters came from Scotland nor from Ireland.

6. Letters of several ships taken by pirates of Jersey and Scilly.

Of the willingness of recruits about Exon to go for Scotland.

7. The business of Mrs. Jane Puckering and Mr. Joseph Welch, about his forcing of her to a pretended marriage, and carrying her beyond sea to Dunkirk, was heard by the com-

missioners appointed for hearing and determining thereof, by a special act of parliament made for that purpose.

Letters that a party of the parliament's garrison at Linlithgow fell upon a party of the Scots, and took thirty prisoners, and slew a lieutenant and three or four of the enemy.

Several Scots officers were imprisoned at St. Johnston for receiving money and not raising their men according to their commissions:

That the sea brake in near Yarmouth, and drowned many cattle and a great part of the country.

10. Letters that general Cromwell was sick in Scotland:

Of great preparations in the Isle of Man to assist the king:

Of Dutch ships arrived at Dundee with ammunition for the king:

That the lords ambassadors, St John and Strickland, took shipping on the Lord's-day for the Low Countries.

11. An act passed for continuing the customs and book of rates for a year.

Vote that no fullers earth or clay, nor ore of lead or tin, be transported beyond sea.

Order touching sequestrations.

Revolters. Order, that all English and Scots who have been under the pay of the parliament in Ireland, and have revolted and betrayed their trust, and have assisted the king, are traitors and rebels, and their estates to be confiscated, and their persons to be proceeded against as traitors.

12. Letters that colonel Hewson had taken in several petty garrisons near Athlone:

That major Arnup, with a lieutenant and twenty men, were set upon in Wicklow by a party too strong for him: the lieutenant and nine or ten of the men were slain, the rest escaped.

13. The public fast-day observed in London and Westminster.

14. Letters of the judges of assize brought into Chard by the sheriff and soldiers of the militia with volleys of shot, many of the justices and gentlemen of the country absenting themselves.

15. Letters that after the taking of Temptallon-castle, the garrisons at Calander-house and Blackness were quitted by the Scots:

Of the want of frigates upon the western seas, to keep in the Jersey and Scilly pirates.

17. Letters that the English fishermen were taken by the Scots at sea, and their ships and goods carried away, and their persons prisoners;

And that divers Scotch men of war are set out to the great damage of trade.

Of the Jersey and Scilly pirates taking several merchants' ships, and none of the parliament's frigates to help them:

That upon colonel Hewson's march into Westmeath, the enemy got together three thousand in the King's County, and five thousand in Finagh, quartered within ten miles of Hewson, and had their fastnesses, yet durst never appear to fight with him, but fled from him.

18. An act passed for continuing a former act for removing all papists, and all officers and soldiers of fortune, and divers delinquents, from London and Westminster, and confining them within five miles of their dwellings, and to encourage such as shall discover papists and Jesuits, and their receivers and abettors.

Order that the lords commissioners of the great seal do grant a writ of *ad quod damnum* touching a fair to be kept in North Auckland in Durham.

Order that the record of the court of wards be transferred into the exchequer, to be under the care of Humphrey Salway, esquire.

Order for Mr. John Owen to be dean of Christ-Church in Oxford.

Debate touching managing of the treasury of the commonwealth for the best advantage thereof, and of providing money for the forces.

Report of the discovery of a dangerous plot in the northern counties, in compliance with the Scots and malignants, for raising a new war, especially in and about Lancashire.

Voted that major-general Harrison do forthwith advance with a considerable body of horse and foot for the security of the north.

One Cooke apprehended for conspiring to destroy the parliament, and being brought into the room next the council escaped from thence. Cooke.

Resolved, that whosoever shall discover Cooke, and return him to custody, should have 500*l.*

19. Letters of the piracies committed by those of Jersey and Scilly.

20. An act passed for the apprehension of Thomas Cooke, esquire, who was lately apprehended by warrant from the council of state, and made an escape from them.

The sheriffs of London and Middlesex to proclaim the act.

21. Letters that one of the frigates belonging to the Barbadoes fleet brought into Plymouth an Irish prize of the value of 10,000*l.*

An account of recruits ready for Ireland.

22. Letters that the Scots came with six hundred horse to beat up the English quarters about Linlithgow, but were beaten back, and some prisoners taken:

That the books and goods belonging to the king and register were taken by the parliament's ships, and another ship laden with oats, meal, and provisions, going for Fife, and twenty-two prisoners taken:

Dangerous opinions. That one Boston, of captain Lloyd's company, was cashiered for holding some dangerous opinions; as, *that God was reason*, &c.:

That the lord president of Connaught did bring out of the enemy's quarters six hundred cows without any loss:

That a bark of clothes for the soldiers was by the master betrayed to the Scots:

That the governor of Liverpool secured several gentlemen thereabouts, suspected to be in the new plot.

April 1651.

Scotland. Letters that the gentlemen who were sent prisoners to
491 Edinburgh about a fortnight since, for raising men and sending arms to the enemy, refused to subscribe to live quietly, being afraid of the kirk's excommunication:

That an eminent lord persuaded the king to be content to be king of Scotland only; but that advice was hushed:

That the Scots had a rendezvous of four thousand horse and four thousand dragoons, and the king in the head of them; and that their design is supposed to be to pass by the English army into England.

That lieutenant-colonel Crooke's man was sentenced to be hanged for killing of a Scotchman not in arms:

That Middleton was coming up to Stirling with eight thousand men.

Letters that the English ambassadors at the Hague delivered in a paper to the States' commissioners concerning the affronts offered to them by prince Edward, the palgrave's brother: English ambassadors. Holland.

That the States sent to the prince to appear before them; but he disputed their authority to send for him, being a stranger prince: yet upon a second summons he engaged upon his honour to come to them, but did not, and went away to his brother:

That one Apseley, a desperate cavalier at the Hague, came to the lord St. John's house, and earnestly desired to speak with him about matters highly concerning his safety; and being admitted into his chamber, where divers of his gentlemen were present, Apseley.

Apseley desired that they might withdraw, that, to avoid discovery of what he said, they two might be private; whereupon my lord ambassador bid them all withdraw; but Mr. St. John's kinsman, suspecting Apseley, would not withdraw, but stayed in the room to observe and watch Apseley:

That Apseley made a long discourse to the ambassador of a plot to take away his life, but told him no particulars; and seeing Mr. St. John continue in the room, he abruptly took his leave and went away:

That his design was to have strangled the ambassador, and for that purpose had a rope ready wound about his wrist; and a way was contrived for his escape after he should have done this fact, (at which he was very dexterous,) by getting out of a window, where divers of his crew were ready to receive him:

That, failing of his enterprise, when he went away, he spake friendly to one of the ambassador's gentlemen to go a little way with him; which he did; and when Apseley had him alone, he threw the rope over his head; but the gentleman struggling, his periwig came off and the rope with it; and so the gentleman escaped:

That the States were acquainted herewith, and ordered Apseley to be apprehended, but he fled away; and one of the

lords came to the ambassadors to acquaint them what the States had done touching him and prince Edward, and that they were both fled; and that the States would be ready to prevent any such affronts to their lordships:

That the States' commissioners came to the English ambassadors to treat with them touching their proposals, and desired the amity and league between the two nations to be continued and renewed; but as to the words in the proposals, (*a more intimate and strict alliance*,) they have not yet answered.

They offered the English ambassadors to have the States' arms set over their doors for their protection, but the ambassadors refused it.

15. An act passed for continuing the assessment of 120,000*l.* per mensem for six months.

An act committed for making void divers honours granted by the late king.

Dr. Gordon and captain Lymbrey added to the council of trade, and all of that council to take the engagement.

Ireland. Letters that the army in Ireland had not taken the field for want of grass for their horses:

That the lieutenant-deputy appointed a fast for three weeks on every Thursday:

That the lieutenant-deputy gave leave to the Spanish agent to raise two thousand among the rebels, and transport them for his master's service, some persons being excepted:

That many recruits were come over:

That more corn was sown than formerly, by reason that liberty was given to any of the English to sow and reap in the lands of the Irish who would not sow them.

16. The lord Beauchamp, lord Bellasis, and the lord Chandois, were committed by the council of state upon suspicion of designing new troubles.

17. Letters of the Jersey pirates taking two barks laden with corn and timber in sight of Portland:

That lieutenant-colonel Clarke, with nine companies of foot, set sail from Plymouth for Scilly islands:

Of recruits shipped for Ireland:

Van Trump. That Van Trump came to Pendennis, and related that he had been at Scilly to demand reparation for the Dutch ships and goods taken by them; and receiving no satisfactory an-

swer, he had, according to his commission, declared war against them:

That they had four hundred recruits from Ireland, and had a colonel, a captain, and about fourteen of the parliament's soldiers prisoners with them, whom they kept in a cellar, and, as he understood, they intended to starve them:

That there are twenty-five men of war belonging to Jersey, Scilly, the Isle of Man, and Galloway.

18. Letters that the Scots had chosen a committee of sixty to manage the affairs of the war with the consent of the kirk:

Of recruits come to the English army, and of four or five prizes taken by the parliament's ships and brought into Leith, and one worth 10,000*l.* with commanders in her, and one small vessel taken by the enemy.

19. Letters that the Scots parliament house raised the value of coins; as, a 12*d.* to 13*d.* &c.:

That their army was come up to two hundred thousand:

That money was come from the parliament of England to their army, and flat-bottomed boats.

[21.] Letters that a party of horse of the enemy entered Lithgow, but were beaten back; the governor was dangerously wounded, and two of his soldiers killed:

That the general had ordered a rendezvous of all his horse at Musselburgh:

That the English ambassadors at the Hague were freer from affronts than formerly, since a placard published by the States against them, and punishing two or three offenders:

That a servant to colonel Butler of the king's party was apprehended for being one in the late tumult at the ambassador's house, and confessed his master set him on. The States ordered six of their guards to watch every night at the ambassador's gate:

That the earl of Oxford and colonel Sidney were gone into 492
Flanders to fight a duel, with seconds.

An act passed for pressing ten thousand men, as there should be occasion, within one year.

An act passed for continuing the committee of the army and treasurers at war.

Another for continuing the jurisdiction of the court of admiralty.

Letters from the lord-deputy of the duke of Lorrain's un-

dertakings with the earl of Clanrickard, for assistance of the rebels in Ireland:

That Van Trump lay before Scilly, and declared that he would assist the English against it:

Of more prizes taken by the Jersey pirates, and of captain Bennet's fighting with two of them four hours, and came off with the ships to whom he was convoy:

Of a prize brought in by captain Pen:

That lieutenant-general Fleetwood, by command of the council of state, published a proclamation for all officers and soldiers by a day to repair to their several charges.

23. Letters of ships going out from Plymouth towards Jersey:

Of recruits going for Ireland.

24. Letters of the fleet's arrival at Scilly, and of the guns heard from thence:

Pirates. That the governor of Weymouth set out a boat full of soldiers to convoy some vessels, which a Jersey pirate espying, came up to them, and the boat with soldiers suffered the pirate to lay them on board, the soldiers lying unseen: but when the pirates' men were on board, the soldiers appeared, and gave them such a welcome, that they hasted away and hardly escaped, leaving the captain and twelve of his men dead.

25. Letters of the general and his army marching out towards Fife:

That captain Howard was made captain of the lifeguard, and captain Beak lieutenant:

That the general contributed 50*l.* and the officers of the army contributed freely to the relief of the necessities of the godly people in Scotland.

26. Letters that the general quartered at Hamilton, and the army about him.

That his march alarmed the enemy that way, and the parliament's ships alarmed and kept them in action at Bruntisland and that way, where they made show to attempt the island, to amuse them.

Kirk. 28. Letters of the army's march to Glascow, where the Scotch ministers railed in their sermons against the English army of sectaries unjustly invading their country and throwing down all power both in kirk and state.

That the general sent for those ministers, and moderately debated those matters with them, and showed them wherein they were mistaken, and thus sought to win them by fair means rather than to punish them:

That the parliament's commissioners in Ireland set forth an order, Ireland.

That the lands of some of the chief rebels should not be under the protection of the parliament's forces, as the King's County, &c.

And that all persons, friends to the parliament, should by a day remove themselves, goods, and families from those places, and the commissioners are to assign them lands in other places.

29. Orders touching maimed soldiers for their relief.

Letters that two thousand of the parliament's soldiers and seamen were landed in the little isles on the west of Scilly, and that the ordnance were heard thundering there many hours together.

30. Letters that the English ambassadors at the Hague received from the council of state the votes of parliament for their return home; which was sudden and unexpected, both to the ambassadors and to the States. English ambassadors.

The truth was, that the lord ambassador St. John was irritated against the States by the affronts offered to them at the Hague, and not punished; and he had little hopes of despatching the treaty with them, according to his mind, especially as to his proposal of coalition. Coalition.

He therefore sent his judgment to his private friends in parliament, who swayed the house; and, as unexpectedly there as elsewhere, the house passed their vote for recalling their ambassadors from Holland.

Upon this news the States sent presently to the ambassadors to know the certainty thereof, and expressed much trouble and sorrow that the ambassadors would return before the treaty were brought to a conclusion, and earnestly, at several times, by one of their own number, sent to them, and pressed the ambassadors to stay.

They answered, that they must obey the order of parliament: but at length they sent Mr. Thirloe, the lord St. John's secretary, back with the messenger to England, to know the

further pleasure of the parliament concerning their stay or return:

That in the mean time the States proceeded in the business of the treaty with England, and laid aside all other affairs, and professed great desire of a near amity with England, and said that time must perfect all things:

That six of the ambassadors' gentlemen, going up into Germany to see those parts, were taken prisoners by some Lorrain troopers, and pillaged, and were to pay 1200*l.* for their ransom.

May 1651.

1. Letters that major-general Harrison and colonel Rich were come with their forces into Lancashire, and an account of recruits going willingly for Ireland.

2. That the general was at Glascow; that the enemy's levies went on slowly; and the factions of Hamilton and Argyle were very high.

Letters that the parliament's fleet at Scilly had taken Grinsby after three times being beaten off, and that they had taken two Irish frigates, one of thirty, and the other of twenty-four guns.

3. Letters of a boat loaden with oats taken by the Scots; that the parliament's soldiers at Scilly had taken all the islands, except St. Mary's, and had taken three of their frigates, killed fourteen of their men, and taken a hundred and twenty prisoners; that of the parliament's forces eight were killed, and about twenty of them wounded; that they intended to send a summons to St. Mary's island, and if they refused, then to attempt it.

5. Letters of a strange apparition at Madley in Staffordshire, seen by a woman and her maid; the sun as blood, and dark bodies, like men, about it; that they seemed to fall down into the court, and there to fight, and the moat about the house seemed to be all of blood, and cannons and holsters in the court:

That three great birds, with wings like angels, came flying to the woman and the maid, and frighted them.

493 6. Referred to the council of state to consider of the business of securing Mr. Case, and other London ministers, who preached against the parliament's proceedings.

Letters of prizes brought into Hull, and of convoys for merchants' ships:

That the chief ringleaders of those in Holland who assaulted the English ambassador's house were sentenced to be whipped:

That the colonel of the Lorrain troopers who pillaged Mr. Steward and the rest of the ambassador's gentlemen in Germany showed them a commission from the king to him to take any of the ambassador's men:

That there was an agreement between the duke of Lorrain and the Irish rebels for him to come over to them with forces and arms to assist them.

That the rebels have accepted him as their protector:

That the plague was still at Cork and at Waterford.

7. Letters confirming the taking of all the isles of Scilly, except St. Mary's, and of taking three ships prizes, one of them richly laden, and many prisoners.

8. Letters that the parliament's forces in Ulster of three thousand foot and fifteen hundred horse were upon their march towards Connaught:

That general Blake and sir George Ascue, with the fleet at Scilly, intended to fall upon St. Mary's island; that the governor thereof, sir John Greenvile, sent to them for a treaty, which was agreed, but took no effect, and thereupon the great guns played upon St. Mary's. Scilly Island.

9. Letters that some Scots at Leith fired two stacks of hay at Leith: Scots.

That they hanged a Scotchman for drowning an Englishman in a coal-pit:

That it is supposed the Scots intend to get by the English army, and to make the seat of the war in England; and that they are twenty thousand strong, and that the English army is very desirous to engage with them.

10. Letters that the general and the army were returned to Edinburgh, and had received a week's provisions:

That the enemy have a rendezvous every month, and their horse are quartered to keep their foot from running away: that if it were not for the provisions that come out of England the army could not subsist either men or horse.

12. That a Scotchman who was subject to England by his

relation to Ireland, being sent by the general on a message to the Scots, was by them executed as a spy.

Upon examination by a court-martial, it appearing that the lady Kelsith kept a correspondence with the enemy, and endeavoured to inveigle some of the parliament's soldiers to be for the king, the general and his council ordered her house and goods to be burnt:

Scotland. That Middleton refuseth to take orders from any but the king, and would be an independent army, and his interest is to be kept against Lesley's; that they would fain be upon their march for England, but their friends there have sent them word they cannot be ready till next month:

That a Scotchman took a Flemish ship prize, and a parliament frigate met them and took them both prizes.

Scilly Island. Letters from sir George Ascue of the action at Scilly, that captain Morris behaved himself most gallantly in the storming of the island:

That the Scilly islands are the key that open a passage to several nations.

Sir George Ascue desires to know the pleasure of the council, that he may proceed upon his voyage to Barbadoes.

Petition. 13. A petition to the parliament from the justices of peace, grand jurors, and other well-affected persons in Cheshire,

Showing their good affection to the parliament, their being overburdened in taxes, wherein they pray relief, and were answered with good words, and the thanks of the house for their good affections.

An act committed, prohibiting the transporting of lead ore, fullers earth, and tobacco-pipe clay.

An act read and committed for transporting sixty persons convicted for petty felonies into Ireland and the English plantations in America:

That the English ambassadors in Holland received letters to stay for some longer time there:

That the cavaliers report the king's army in Scotland to be sixty thousand men.

14. Letters of divers of the parliament's officers and soldiers killed by the breaking of a piece of ordnance.

15. Letters of recruits and money arrived at Dublin, and

an account how the forces there are disposed, and of visiting the western garrisons.

16. Letters that after the parliament's fleet had taken the two islands of Trisco and Briers, they had a treaty with sir John Greenvile by commissioners, which took no effect.

17. Letters that the Scots ordered a new levy of every twelfth man for a reserve, and have ordered all the English to serve under Massey, who courts them, and mounted three or four foot soldiers that ran away from Cromwell to him. Massey.

19. Letters of the army's posture in Scotland, but little stirring.

20. Letters of colonel Reynolds and sir Charles Coote being upon their march to attend the enemy's motions in Connaught.

21. Letters of sir George Ascue's departure from Scilly islands towards Barbadoes.

22. The parliament debated several acts touching the assessment, putting the public treasury into a way most for the public advantage, and other acts.

23. Letters of the Scots gathering their forces together to a rendezvous, and intelligence of their design to slip by the English army into England, and so to draw the seat of the war out of their own country into England, where they expected many to befriend them. Scotland.

24. Letters of the forces in Ireland upon their march for Connaught, and of recruits come thither.

26. Letters that the Scots drew up together eight regiments of foot at Stirling; their horse were in other places, and Middleton with his party stood still at a distance; that they brought straw thirty miles for their use:

That one of their colonels said he hoped to see the word in their colours to be *Covenant for tobacco, strong waters, and whores:*

That colonel Lidcot fell upon a garrison of the enemy's with his horse, and brought away many prisoners:

That major Sydenham was dead of his wounds:

That a party of colonel Montgomery's fell upon some of the English dragoons, and surprised about forty or fifty of them as they were in the country gathering the assessment:

That it was conjectured the Scots would decline any en- 494

gagement with the English, but weary them out, and take the first opportunity to get by them into England:

That there was some damp upon the English army by the sickness of the general.

From Waterford, that the army fell upon the rebels beyond the Shannon, did some execution upon them, and brought away some booty:

That they rejoiced to hear that the parliament had sent a fleet towards Dunkirk, to keep in the duke of Lorrain's fleet if they should attempt any thing upon Ireland:

That prince Rupert was gone to sea with five ships and two fireships:

That two French ships laden with silk were taken by the English.

Cromwell. 27. The parliament sent a message to the general to desire him to retire for his health to some convenient place in England for the fresh air, and to intrust the army in the meantime in such hands as he should think fit.

The parliament discharged all recognizances, fines, and amercements, and process upon them, until 30 Jan. 1648:

That the general being sick of an ague, the officers of the army provided to march without him; that several ships were arrived at Leith with provisions for men and horse:

Prince Edward. That prince Edward was summoned to appear at the Hague to answer his misdemeanour against the English ambassadors:

English ambassadors. That the six gentlemen of the English ambassador's, who were taken prisoners by colonel Hatter the Lorrainer, were carried by him to the Spa, to drink the waters there with him; and there a gentleman, who had received civilities in England, looking earnestly upon them, imagined that they were gentlemen in some distress, and inquiring of them, was told all the story of their being surprised by colonel Hatter; upon which the gentleman raised the town and rescued the English gentlemen from the colonel, and brought them from thence in liberty to Limburgh:

That there the English gentlemen bragging of their good fortune, and that now they should save 1200*l.* which they had promised to pay to colonel Hatter for their ransom;

This coming to the ear of the governor of Limburgh, he kept the English gentlemen in restraint, and told them, that seeing they had engaged to pay 1200*l.* to colonel Hatter for

their ransom, and that now they were fallen into his power in Limburgh, that they should pay the same sum to him which they should have paid to colonel Hatter:

That the States sent to the princess royal, to the duke of York, and to the queen of Bohemia, to desire them that none of their trains might be suffered to offer any affront to any of the English ambassador's company, whom the States had taken into their protection, and would not regard any great person that should affront them; that they all promised to conform to the States' desire:

That they caused a new court of guard to be built at the English ambassador's door:

That they visited the Spanish ambassador, who had been very courteous to them, and by their desire had written to the governor of Limburgh (who was under the Spanish jurisdiction) to set free the ambassador's gentlemen in his power without any ransom:

That the Dutch inquired much after the affairs in Scotland, and seemed inclinable to a good correspondence with England.

29. An account of recruits for Ireland:

That the Scots foot were very poor in clothes, and both men and horse in great want of provisions.

30. Letters that the earl of Derby was victualling and furnishing his castles in the Isle of Man.

Letters that the enemy took some cows from the garrison of Charlemont, which the lord Caufield having taken notice of, lay in the way, and met them in their return, killed about thirty of them, and took a hundred and twenty arms, and brought away the cows:

That another party of the enemy came into the English quarters, who routed them and took divers of them:

That the foot at Scilly entered at St. Mary's Island, and that those in the castle were in great want of water.

31. Letters that the country between Edinburgh and Dunbar was full of excellent corn:

That there were many ships come into Leith with provisions.

A soldier shot to death for killing his fellow-soldier in a duel.

June 1651.

2. The parliament ordered two physicians, Dr. Wright and Dr. Bates, to go into Scotland to attend the general, and to take care of his health, they being his usual physicians in London, and well esteemed by him: they were by this time come to Edinburgh.

3. Letters of several encounters with the rebels in Ireland, who in all conflicts were worsted by the parliament's forces.

4. That the Scots lay still in their quarters, only sometimes by parties they fell into the quarters of the parliament's forces near them, but were as often repulsed as they made any attempt.

5. Debates in parliament, and several orders for money and recruits for the armies in Scotland and Ireland.

6. An account of recruits marching and of some shipped for Ireland, and others sent by land for Scotland.

7. Account of prizes taken by the parliament's ships.

9. Letters of the general's good recovery of health again, and that the doctors were returned from him:

Scots. Of a ship laden with oats taken from the Scots:

That the malignants with the king did some of them cause the soldiers to plunder some of the presbyterians by whom they had formerly suffered:

That major-general Massey had found out new inventions of fireworks and engines of war:

That major-general Harrison was advanced with his brigade to the furthest part of Cumberland:

That the enemy took all the horses and twenty men of captain Wright's troop, the horses being at grass:

That some of the duke of Lorrain's forces were come down about Dunkirk, but retired upon the coming of general Popham thither:

That the parliament's ships chased and forced three Dunkirkers to run on shore.

Cromwell. Letters from the general acknowledging the favour of the parliament in sending the doctors to him, and giving him leave to come into England for his health; that he hath been unexpectedly restored to health by the goodness of God.

495 10. Letters that the assembly of the States was adjourned
Holland. for a week, and that they thought the propositions made by

the English ambassadors to be too much for them to consent unto; that Holland is more inclinable to an agreement with the ambassadors than the other provinces are:

That fair words are given and now and then a visit to the ambassadors by some of the deputies who are not gone home:

That the rest are jealous of Amsterdam, as if they designed to make themselves like Venice, to domineer over all the other towns.

11. Letters that upon intelligence of a great party of the enemy drawn out, upon design to fall upon the English garrison at Hamilton, the general sent colonel Whaley, with eight regiments of horse, to bring off the garrison, which he did, and slighted the house: Scotland.

That major-general Massey was making of leather ordnance and fireworks for the Scots soldiers to carry on the top of their pikes, to slaughter his own countrymen:

That the Socts parliament have nulled the act of *classis*, whereby all Hamilton's and Montrose's party may be of all parliaments and judicatories; and Argyle's party lies low:

That the lord Warreston, sir James Steuart, and sir John Chiesly continued with the general at Edinburgh.

12. Letters of pressing men for Ireland:

That sir George Ascue was not gone for Barbadoes, but was come into Plymouth with sir John Greenvile, and other prisoners taken at the isle of St. Mary's, and other of the Scilly islands, they being all surrendered to the parliament upon articles. Sir George Askue.

13. Letters of a notorious Jersey pirate taken by the parliament's ships:

That both the armies in Scotland lay still in their quarters, as in the midst of winter, attending one another's motions; that the general was abroad again:

That a merchant's man was shot to death for killing a soldier.

14. Letters confirming the rendition of St. Mary's island to the parliament:

That there were in the island eight hundred soldiers; some of them were shipped for Ireland, others for Scotland, others for France, and some for England with sir John Greenvile: Scilly island.

That there were in it likewise commissioned officers enough to head an army; that colonel Axtel, colonel Sadler, and

colonel Le Hunt, prisoners there, were released; that these islands will now be a shelter to the merchants, which before were their ruin, and is a check to the trade of many nations.

16. Letters that five or six thousand Scots used to beat up the quarters of one troop of the parliament's horse, but that they are now quiet:

That the English do but stay their march till they can have horsemeat in the fields:

That the provinces of Holland, Zealand, and Utrecht are more agreeing than the other provinces to the articles proposed by the English ambassadors:

Ireland. That the lord deputy passed the river Shannon and fought with Castlehaven, who was appointed to hinder his passage over that river, whilst Clanrickard's army prepared to stop sir Charles Coot's passage out of the north, and to fight with him; but sir Charles Coot, understanding this, marched thirty miles in a day and a night, slipped beyond them another way, and joined with the lord deputy, who wholly routed the lord Castlehaven's army: that some of the parliament's forces are sat down before Galloway.

17. Letters from colonel Hewson of the defeat given by the lord deputy to Castlehaven's forces, and that the lord Dillon was reported to be slain.

An account from the parliament's commissioners in Ireland of the recruits and provisions arrived there, and how their several forces are disposed, and where they are upon service in that kingdom.

Scotland. 18. Letters that the Scots army was enclosed in Stirling park, which was their own works, and not to be attempted but upon great disadvantage; that old Levin continues general under the king, and they have several major-generals:

That their forces are about twenty-eight thousand, and they have hanged three or four for refusing to bear arms, and they expect many in England to join with them; that their soldiers have no pay, but two pound of meal a day; that there was a proclamation at St. Johnston that the word *malignant* should be forborne, for that all interests were agreed.

19. Letters that sir Charles Coot and colonel Reynolds had given a great overthrow lately to the enemy in the north of Ireland, and had killed and taken three thousand of them:

That at Exon there was a great quarrel between the seamen and soldiers, and many broken pates, but the officers made them friends again.

An account of pressed men recruits for Ireland, and one thousand pioneers' tools safely arrived.

20. Letters that the lord deputy was marched to the very gates of Limerick. Here my son James Whitelocke commanded a forlorn, with whom he marched up to the enemy; and the charge was so hot, and he so far engaged, that his horse was killed under him, his hat shot through, and his thigh bruised with the but-end of a musket; but he beat in the enemy, and killed many of them:

That colonel Ingoldsby finding about two hundred horse grazing near the city, followed them to the gates, where those that escaped the sword the Shannon devoured; in all they lost about a hundred men and a hundred and fifty arms, and a thousand cows, oxen, and sheep:

That Portumney was surrendered to sir Charles Coot, who also took in several other forts and castles:

That three merchant men of London met with a French man of war, who fought with them some time, but, finding himself too weak, gave over; but meeting with another Frenchman, they both set upon the merchant men, but could not prevail; and after many killed on both sides they parted.

21. Letters of alarms given by the Scots army, but nothing done by them; and that the English army were quickly in a readiness to bid them welcome.

Mr. Love, the minister, was brought to his trial before the high court of justice in Westminster, and many witnesses heard to prove the accusation of high treason against him. Mr. Love.

23. Letters that the king was very active, and rode into Fife, to gather together the horse and new levies; that they appointed a general fast, but the kirk in the west were not pleased with their doings, but refused to publish it, and that all their speech was for England: Scots.

That Massey is in great esteem with them; that their new committee of states is of malignants, and a committee is selected out of them to go along with the army to consult about their affairs: 496

That they were much disappointed by discovery of the

design of rising in Lancashire, and that they heard nothing yet of any rising in Wales under the earl of Derby:

That some of the Scots ministers were sent from the *classis* of the west of Scotland to the classical presbytery of Stirling, with some proposals which were rejected, and Mr. Gilespy and the rest that brought them were threatened to be punished:

That a committee was appointed to examine and punish, by confiscation and otherwise, all such as had a hand in the remonstrance of Ker and Strachan:

That London and all England is promised to be divided among the Scots officers and soldiers if they can conquer it:

That a party of Scots appearing near to Carlisle, major-general Harrison sent two thousand horse and dragoons towards them to fight them, but they retreated in haste back to Stirling:

That a hundred wagons and carts, with arms, ammunition, and provisions, were come to Newcastle.

24. Letters of a rising in Cardiganshire of four hundred horse and foot, got together in a body, and intending to march northwards:

That some troops of the parliament quartering thereabouts came up to them, and they fought the troopers, but after a short dispute were routed, and about forty of them killed and sixty taken prisoners, among whom were some of the chief conspirators.

An account of four thousand seven hundred pressed soldiers, and four thousand three hundred volunteers, gone for recruits into Ireland.

English ambassadors. Letters of a ship of the parliament's arrived at Helvoetsluice, one of those sent to bring back the English ambassadors; which was unexpected and unwelcome news to the Holland. States; but the courts of the queen of Bohemia and of the princess royal rejoiced at their departure:

That the same night the States sent to the ambassadors, (which they had not done in a month before,) to know if they might not come to the ambassadors the next morning to confer with them about the treaty; to which the ambassadors answered, that they might if they pleased:

That the next morning the commissioners from the States

were taking the coach to come to the ambassadors, but fell out among themselves about the message they were to bring, and so sent to excuse their not coming that day:

That some of the provinces disagreed as to the nearer amity, but whether contrived for some excuse of their unsufferable delays, was not certain; but that they would fain see the issue of the affairs in Scotland before they come to a conclusion with the English ambassadors is agreed by all.

25. Mr. Love, the minister, was again before the high court of justice, and confessed that the conspirators met at his house for furthering the Scots designs, and that letters were received and answers sent from thence, &c., but that he did not personally act any thing. Mr. Love.

26. Letters that six merchant ships of London laden with provisions, with a man of war for their convoy, were come into Leith, but a ketch laden with wheat was by the way snapped by the Scots: Scots.

That the duke of Bucks was much taken notice of for his lasciviousness, and that they called bastards *Buckingham's birds:*

That the general and his officers kept a fast, and the general himself expounded a place in scripture to them:

That the ships with money from the parliament were in sight.

The ambassadors St. John and Strickland returned from the Hague to London.

27. Letters that a party of the army fell upon and ruined three hundred of the rebels in the King's County.

28. Letters of a ship arrived at Leith with 80,000*l.* for the army, and thirty sail of ships with provisions:

That the Scots kept a fast, and hanged a corporal of theirs for having a list of their army in his pocket, because, they said, it was to give intelligence of it to the English:

That a ketch of the parliament's went to seize some boats of the Scots laden with meal, but a Scots frigate coming in to rescue them, fell upon the ketch, who sailed purposely over a shallow place, and the Scots frigate pursuing her stuck upon the sand; in the mean while the English ketch fell upon the Scots boats and sunk them all.

30. Letters that the English army had six weeks' pay, and

were ordered to be ready for a march; and that the Scots army were upon their march, and had their train ready:

That there was a mutiny among the Scots for want of provisions:

That the general lost forty dragoon horses, taken by the enemy.

Letters that those risen in Cardiganshire expected great assistance from other counties, and were assured that the king was within forty miles of them with a great army, and that all England was up in arms for him; that if they had not been suppressed in that time, they would have been very troublesome.

An account of the care taken for convoying of merchant ships, and of two French ships taken prizes.

July 1651.

1. Letters of the rendition of Athlone, and all the garrisons betwixt that and Limerick to the parliament:

That Reynolds desires to be hastened for Scotland:

Lord Broghill. That the lord Broghill's quarters being attempted to be beaten up by the lord of Muskerry's regiment of horse, the lord Broghill followed them with a hundred horse only, and after

Ireland. six miles' march overtook them, drawn up in four great divisions on the other side of a pass, where but three could go abreast above fifty yards:

That there the lord Broghill charged them, and after a handsome dispute gave them an entire rout; most of their men were killed and wounded, among which were sixteen officers, the best men they had:

That they got store of horses and arms, and the lord Broghill lost not one man, and had only eight wounded, and none of them mortally:

That one of the prisoners taken was cornet Bronal, who had formerly served under the lord Broghill in Ireland, and therefore he caused him to be shot to death for a runaway:

That this was the first time of a fight of horse to horse in these Irish wars:

That hearing of another party of the enemy near, the lord
497 Broghill marched up to them with two troops of horse and one of dragoons, and fell upon a party of three regiments of their horse, who having the advantage of a bridge fought

very well, and put sixty of the lord Broghill's horse to a stand, and indeed to some disorder.

But at length they routed the enemy, and had the execution of them for five miles, so as it is thought not ten of them got off, and not above three unwounded:

That the lord Broghill took but twenty-nine prisoners, most of them officers or gentlemen's sons, and he had but one man killed, and six of his own troop wounded, and his cornet, who did gallantly, was mortally shot:

That as he was in this execution, a body of the rebels' foot and a troop of horse appeared; whereupon the lord Broghill rallied a party together, and went to fight them, but some of their scouts being killed, they all fled faster than his weary horse could follow them to the fastness of a great wood:

That Mr. Love was again before the high court of justice, where Mr. Hales, his own council, was heard to plead for him.

2. An account of recruits landed in Ireland; and of five prizes taken by pirates from the Isle of Man, where they harboured.

Letters that a parish in Jersey refused to obey the governor Carteret, who committed the chiefest of them.

3. Letters of the disorder of three troopers, taking the swords of some travellers from them upon the highway, for which the troopers were punished.

An account of recruits who went cheerfully for Ireland.

4. Letters that the earl of Castlehaven's lifeguard (as many of them were protestants) sent before for leave, and came in to the lord deputy; and many of the inhabitants of the country by leave went home to their habitations: Ireland.

That the lord deputy made a bridge over the Shanon, and built a strong fort, which commanded the river, both above and below:

That the enemy assaulting colonel Hassell's garrison was beaten off, and that captain Gibbons routed another party of them:

That colonel Zankey, with fifteen hundred horse and foot, was sent against a party of the enemy; and that the lieutenant-general, with a considerable party, went within two miles of Galloway, and there took so great a prey, that they were forced to leave many of them behind for want of drivers:

That the lord deputy took the castle at the Weare, having made one shot at it, which killed three men, and the rest ran away, but were taken; and some, after quarter promised, were killed; for which justice will be done:

That the lord deputy sent a summons to the governor of Limerick to render it to the use of the parliament before the battery of the town: that they suspended their answer for one day, and then sent for a treaty for surrender, and for a cessation in the mean time:

That the lord deputy consented to a treaty, but denied a cessation; that they are much divided in the town, and the greater part was for a surrender:

That Clanrickard and Castlehaven were gone to sea, and their army broken in pieces, and none can tell how:

That the lieutenant-general took in several castles, and one by storm with his horse and dragoons only; and that colonel Reynolds was with him in those actions; and that colonel Zankey had relieved a garrison of the parliament's, and took in several forts from the enemy.

Scotland. 5. Letters that the Scots army was drawn out on this side Stirling, and thereupon the general drew out his army from Edinburgh; and they lay in the field, to be in a fit posture to receive the enemy; but the Scots went back, and the English encamped upon Pentland hills:

That the camp was in an excellent martial posture and figure, and the general was in his tent; that many English ladies were there to view the leaguer.

Mr. Love. Mr. Love was sentenced by the high court of justice, for the treasons proved against him, to be beheaded.

7. Letters of both armies in Scotland drawing nearer one to another:

That the moss-troopers took four horsemen and six prisoners:

Of a prize laden with salt brought into Leith:

That the governor of Leith sent a party into Edinburgh to search for arms, where they found many in private houses, and brought them away to Leith:

Cromwell. That the general had in his army fourteen regiments of horse, twelve regiments of foot, and sixteen pieces of ordnance; and that both armies were within eight or nine miles of one another, and that some of their scouts have met:

That the English army saw the Scots leaguer:

That they were fifteen thousand foot and six thousand horse:

That the Scots have great differences among themselves; that Hamilton carries all, and Argyle and his party are down; that some ministers have put out a new remonstrance against the taking in of some notorious malignants.

Letters of alderman Jackson's house near Bristol burned with his children in it.

8. The parliament passed a vote for putting down the marshal's court in Southwark.

An act passed for keeping the assizes at Durham.

Officers named in the bill for sale of some delinquents' lands.

An act passed for continuing the chancellor of the duchy of Lancaster.

Letters that the ships with money and provisions were safely arrived in Ireland.

The lord deputy set forth a proclamation for observing a day of thanksgiving for the safe and seasonable passage over the Shanon. Ireland.

9. Letters that major Scot was sent out with a party to discover the Scots army, and gave them an alarum; that they drew up their horses into bodies.

10. Letters of a quarrel between some of the Oxfordshire troops and some countrymen:

Of prizes brought in, one laded with five thousand bushels of wheat.

11. Letters that God had struck such a terror into the camp of the enemy, that of all their field army in Ireland, so much boasted of, there was not one thousand men in a body in any county to oppose the parliament's army:

That they would all go the king of Spain, if his resident with them could furnish them with money; yet he hath agreed for four thousand:

That sir Charles Coote is sat down before Galloway:

That the strong castle near Limerick was surrendered upon quarter; and that colonel Tottel, for killing some of the enemy who had quarter given them, was cashiered by the general:

That Limerick is in treaty for surrender; that wheat is 498
worth 7*l.* a barrel:

That Massey wrote a vapouring letter for exchange of a prisoner, but the general would not agree to it:

Scots. That the general marched towards the Scots army lying at Torwood, and there was pickeering between both parties; the English took twelve of the Scots, and killed divers; they killed none of the English but one man; and all the Scots, as they passed by him, either pistoled him, or cut him, or pricked him with their rapiers in a barbarous manner:

That the king was in the field to encourage them; that the first rank of their troops were armed complete: they give out their army to be twenty-nine thousand, but it is supposed they are twenty thousand; that they had intrenched themselves, and planted great guns, so that they could not be attempted with less danger than storming a garrison:

That some of the English pickeering without order were endangered by the enemy, but relieved by colonel Okey, who beat the Scots from a hill they had for advantage; that both armies drew to their quarters about a mile from each other:

That in the night the enemy drew some great guns to the top of an hill, from whence they made about forty shot early in the morning, and killed two or three of the English:

That general Cromwell planted two cannons, and played upon them, and did some execution; and seeing the Scots would not engage but upon their great advantage, the general called a council of war in the field, and by their advice drew off to the vale, to see if the Scots would follow them, and forsake their hills; which they did not, and so the English army returned back to their former quarters at Linlithgow.

12. A list of the several regiments of the English army with their colonels sent up, being fourteen regiments of horse, twelve regiments of foot, and six troops of dragoons.

Four days' provision more was delivered out to the army for a new march and design.

Cromwell. 14. Letters that Cromwell marched up again to the Scots, but their foot were intrenched, and their horse lay so that the English could not engage them, there being a river and bogs between them; and though Cromwell came up to the teeth of them, and viewed all their bodies, yet they would not come forth:

That the English took eight Scots prisoners, and killed divers in pickeering, and beat them up to their works, and waited for them about eight hours, but they kept in; and so the English went to their quarters; and the Scots followed them with a small party, who were quickly beaten back:

That Athlone and Limerick were both surrendered to the parliament:

That five English vessels were taken prize by boats from Jersey, carrying four or five great guns apiece in them:

That the States were sending the lord Joachimi ambassador to England, to perfect what the English ambassadors had there begun.

An indictment of felony at the assizes in Kent was found against Joseph Welsh and others for assaulting Mrs. Jane Puckering, and carrying her to Erith, and compelling her, contrary to her will, to say words importing a marriage, &c.

15. Mr. Love petitioned the parliament, and divers other petitions were presented on his behalf, for pardon of his life; but after much debate upon the question it passed in the negative. Mr. Love.

On the day appointed for his execution, a petition was presented by divers ministers in and about London to the parliament, earnestly and in the bowels of Jesus Christ, who, when we were sinners, died for us, if not totally to spare the life of our dear brother, that yet you will say of him as Solomon of Abiathar, *that at this time he should not be put to death.* Petition.

Upon this petition the parliament respited the execution of Mr. Love for a month.

An act passed for the sale of the estate of several delinquents named in the act.

The fair kept yearly at St. James's put down till further order of parliament, and not to be held in any year hereafter without further order. St. James's fair.

16. Letters of the commissioners for the militia in Devon taking an account of all the arms in the county, and securing them.

Report of the surrender of Limerick and Galloway.

Of a fast kept by the officers and soldiers at Shrewsbury.

18. Letters of two prizes taken by a Jersey frigate, which Jersey.

had eight guns, twenty-four oars, and eighty men; and that there were twelve of these frigates belonging to Jersey:

Ireland. That Galloway had sent to the lord deputy, to desire that no forces might be sent thither, to avoid blood, and that they would accept of the same terms that Limerick did to surrender:

That the rebels' armies are all dispersed, and many of them turned tories, and are very cruel:

Scotland. That the army in Scotland marched to Glascow, from whence the Scots soldiers fled in great haste, and many of the inhabitants with them, being told that the English would put all to the sword, both men, women, and children;

Which they believed, though they had so much experience of the civility and kindness of the English to them, who had been there several times before:

That Cromwell set out a proclamation, that no soldier should straggle from the camp, nor use any violence to the people not in arms, nor plunder, on pain of death; nor none to go above musket-shot from his colours:

That the English forces found many arms and much ammunition at Glascow, and took some prisoners there:

That major-general Lambert sent out with three regiments to discover the enemy; took a house defended against him, and several arms and prisoners:

That major-general Massey, with a party of six hundred horse, marched within ten miles of Edinburgh, killed eight of the parliament's soldiers, and took twelve prisoners; and that a party of forty horse of the English fought with sixty of the Scots horse, killed one, and made the rest run:

That one hundred and twenty ships were arrived at Leith with all sorts of provisions and with ammunition:

19. That the English again marched up to the Scots army, but they would not stir out, but kept within their bogs and advantages, places inaccessible:

Mr. Love. That Mr. Potter, and one Gibbons, formerly a servant to Mr. Holles, were tried before the high court of justice for being conspirators in Mr. Love's treason; one of them con-
499 fessed that he received moneys, but he said they were to be bestowed in charitable uses: the proofs were, that the money was to be laid out for raising of forces against the parlia-

ment. The other submitted himself to the mercy of the court.

21. Letters of the army's motion in Scotland towards the enemy.

22. Of the surrender of Galloway to the use of the parliament, and the articles of surrender sent up to the parliament.

23. Orders about money, recruits, and provisions to be sent to the armies in Scotland and Ireland.

Debate of several new acts of parliament, and the bills committed.

24. Of the army in Scotland marching up to the enemy, who would not come forth to engage with them, and thereupon of the general's resolution to land a considerable party in Fife, and to divide his army, to see if that would bring them to engage. Cromwell.

25. Letters that no enemy appeared in Ireland in a body in the field; that Galloway had agreed to surrender upon the same terms that should be agreed upon by the city of Limerick.

26. Letters of a great victory obtained by a party under major-general Lambert against the Scots on Fife side; they being a party of above five thousand; that two thousand of them were slain upon the place, and in the pursuit many officers and private soldiers taken prisoners; the particulars not yet come to the parliament. Lambert.

28. Letters from major-general Lambert of the late victory in Scotland: Victory in Scotland.

My lord general having offered the enemy battle at Torwood, and finding it was their intention to delay this war, took counsel to adventure the landing of some forces on Fife side, and for that purpose drew forth colonel Daniel's regiment of foot, and as many forth of Leith as made them sixteen hundred with four troops of colonel Lidcot's regiment, all commanded by colonel Overton.

And accordingly attempted landing at Queen's Ferry, where almost on three sides the sea encompasseth a rocky piece of ground, which, with the loss of about six men, was effected on Thursday morning the 17th instant: this done, they presently fell to intrenching of themselves; indeed the business was managed both with discretion and courage.

Whilst this was doing, my lord general marched close up to the

enemy with his whole army, that in case they should have marched this way, he might have engaged their rear before they could reach Stirling.

The enemy received the alarm the same day about ten of the clock, and sent a considerable party of horse and foot to beat ours back, upon which my lord had some thoughts of attempting the enemy where they lay, which was not thought fit, but resolved to the contrary; and, in order to the preservation of the forces, his lordship commanded me to march hither with two regiments of horse and two of foot.

Upon Saturday, very early, we came to the water-side, and though I made all possible speed to boat over it, I could not get over more than the foot and my own regiment of horse all that day and the next night: about four in the afternoon on Saturday I discovered the enemy's body advanced as far as Dumfermling, within five miles of us, being, to my judgment, about four thousand.

And that night they encamped there, and, it seems, hearing more forces were come over, got a recruit of five hundred men the next day.

All Saturday night we laboured to get over our horse, and before the last came to shore on the Lord's day, the enemy was advanced very near us.

We stood upon our own defence till most of ours were come; the enemy, having taken his stand, began to wheel, as if he meant either to march away, or to take the advantage of a steep mountain.

Upon this I appointed colonel Okey to advance with his regiment; which accordingly he did, and there engaged his rear, as he could draw them no further; but there drew up in battalia; and we in the same manner with as much speed as conveniently we could.

We were more in number, in my judgment, by at least five or six hundred, but on the other side the enemy had the advantage of the ground, our left wing of horse being upon a very ill ground, where was a pass lined by the enemy's musketeers;

Upon consideration whereof, we placed our greatest strength in our right wing, consisting of my own regiment of horse, and two of colonel Lidcot's, and two of colonel Okey's troops; the charge of that wing being left with him; and in the left only four troops of colonel Okey's and two of Lidcot's, to whom the charge of that wing was committed.

The battle, consisting of mine and colonel Daniel's regiment of foot, and reserved by colonel West and colonel Syler's regiment, being commanded by colonel Overton, we continued facing one another about an hour and an half, supposing they would have come

to us, being come so far to seek us; but finding they delayed, and having just then received notice from my lord that more forces were come from Stirling to their assistance, and that my lord was upon his march to Linlithgow, and by that means the enemy at liberty to send more forces hither;

It was resolved we should climb the hill to them, which accordingly we did, and through the Lord's strength, by a very short dispute, put them to an absolute rout: we killed upon the place (as most judge) two thousand, and took fourteen hundred prisoners, and among the rest sir John Brown, major-general of their horse and commander-in-chief of their forces: colonel Buchannan and divers other officers, were taken and slain.

The reason why the slain exceeded the number of prisoners was because divers of them were Highlanders, and had very ill quarter; and indeed I am persuaded few of them escaped without a knock. I think we lost not above eight men, but divers wounded: thus easy hath the Lord given us this mercy. My lord is again remarched towards Stirling.

Upon his advance, I heard the enemy, who were upon their way five miles with their whole body towards us on this side Stirling, is drawn back, and lieth in Stirling and thereabouts.

My lord hath since sent me colonel Ingolesby's regiment and colonel Ashfield's, with colonel Lilburn's and colonel Alured's regiments of horse, that I judge the forces with me to be above seven thousand.

North Ferry,
July 22, 1651. JOHN LAMBERT.

Other letters, that the Scots' retreat to Stirling was in very great haste, for they left several of their sick men in their huts, and a pretty quantity of powder and match; that the king and all the English did strongly oppose their going over 500
Stirling bridge, and would have had them marched directly for Glascow, and so for England:

That at the battle of Fife, there were five of their best regiments of horse and five of their best of foot, and of all these scarce two hundred returned to them; that the Scots taken prisoners prove fifteen hundred:

That the English soldiers got good booty, and that night, when their army retreated over Stirling, they lost near two thousand men: that the purple is much among them:

That the Scots are putting forward new levies:

That such was the gallantry of major-general Lambert,

that had it not been for his armour he had been lost, a brace of bullets being found between his coat and his arms:

That the king upon the rout of his forces called a close council; some were sent northward to press more men; that some of their own soldiers plundered their carriages; that Massey is more in favour than before, but some of the presbyterian neutrals are retired, and have private meetings:

That the English fetched in forty load of provisions out of the Scots quarters in Fife, and lay on both sides of their army.

29. Letters read in parliament from the ambassador of Spain and from the states of Genoa.

An act passed for relief of maimed soldiers.

An act passed prohibiting the hunting or killing of deer.

Primers. Vote, that former primers used in the late king's time be suppressed, and new ones used.

30. Letters that Cromwell sent more forces to Lambert, who ranged with his horse in the country of Fife, and kept his soldiers from all disorder; that the strong fort of Enisgarwey was delivered to Lambert.

31. Letters that Limerick and Galloway are both in treaty for surrender, but stand upon high terms.

Ireland. An account of recruits and provisions sent for Ireland:

That sir Charles Coot took in a castle with twenty barrels of powder, and eight great guns, and store of provisions; that he is sat down before Galloway, and colonel Reynolds was sent to him with additional forces:

That the lord deputy sent a party to attempt the island near Limerick, who landed out of their boats before their seconds came up to them, and were all drowned or killed; as was supposed, they were slain after quarter given them or desired:

That the lord deputy demanded satisfaction, and resolved no further treaty, if they come not down to low conditions:

That colonel Hewson was burning Wicklow, demolishing some forts, and fortifying others.

August 1651.

1. That the treaty for surrender of Limerick was broken off, yet their expected relief failed them; that the lord deputy had possessed two forts within musket shot of their walls.

Letters that in the late battle of Fife captain Augustin, the great moss-trooper, lost his troop of two hundred commanded men, and himself hardly escaped; that the general commanded that the sick Scotch soldiers, left behind by their fellows, should have provisions given them, and no injury to be offered to them; and that those left dead in their trenches should be buried: Fife battle.

That the general shipped the rest of his army and train into Fife, leaving only four regiments of horse and four of foot to secure this side of the water:

That the isle of Ingarney was surrendered to Cromwell, the soldiers to march away with their swords only, leaving all arms and ammunition behind them; and in it Cromwell had fifteen pieces of ordnance:

That many of the Scots prisoners were sent to Newcastle.

2. Letters that some of the Scots ministers protested against the general assembly for abetting the king's design; that a minister and two students came to the general from Angus for protection: Ministers.

That one of them was excommunicated for not answering two questions: Questions.

1. Whether presbyterian government in Scotland be not in all things conform to the word of God.

2. Whether Cromwell be not antichristian.

That another was excommunicated for praying with persons of divers families in private:

That the English army received ten days' provision for some speedy action.

3. The Lord's day; thanks was given in the churches in London for the late victory in Fife in Scotland.

Letters that Brunt island was surrendered to Cromwell upon articles, and in it three men of war; and it was an excellent harbour, much better than Leith harbour, and in it were five hundred soldiers: Brunt-island.

That many of the Scotch soldiers do run away daily.

5. Letters from Cromwell of the taking of Brunt island, and in it thirty or forty great guns, and three little men of war; that the harbour at an high tide there is a fathom higher than Leith, and the town not commanded by any place near it:

That major-general Whaley marched along the seaside, having some ships to sail by him, and hath taken store of artillery and divers ships; that the enemy's affairs are in some discomposure:

That they will not adventure all upon one army, but have sent for the new levies.

An account of moneys, recruits, and provisions gone for Ireland; and of prizes taken and brought into Portsmouth.

Of prizes taken by the pirates.

7. Letters of much damage done by the Jersey pirates.

Of colonel Hunkin going to be governor of Scilly with forces:

That colonel Hewson was going into Cavan, where the people stood upon their guards, refusing to pay contribution.

8. Letters that sir George Askue was set sail for the Barbadoes:

That the general was marched with the army toward St. Johnston, to prevent supplies to the enemy from the north of Scotland:

Mr. Love. That colonel Fortescue coming to the general with a petition on the behalf of Mr. Love, the general and the army would not intermeddle therewith; and the colonel, with a convoy of eighteen troopers, was set upon by eighty of the enemy's horse; the colonel first cried for quarter, and had it; most of his convoy were slain, only four of them escaped:

Scotland. That six thousand of the Scots are reported to have run away from them since the last rout in Fife.

In the army's march towards St. Johnston two troopers were executed for straggling and plundering:

That some country people being left to cut down the bridge
501 between St. Johnston and Stirling, they ran away upon the approach of the English army before it was quite done, and left their tools behind them:

That the general sent a summons to St. Johnston, that understanding they had no garrison, that they should immediately surrender to him; and he promised to free their goods from plunder and their persons from violence.

The town denying his entrance, he sent parties to attempt it, and some were slain on both sides; but the English gaining upon them, they sent a drum with a letter to the general,

to let him know that his information was not good, and that they had a garrison, and could do nothing without the governor.

Hereupon the general sent a summons to the governor, who returned no answer; and therefore Cromwell planted his batteries, and played all night upon them; and the next day the lord Dasseres, the governor, who came into the town the day before with thirteen hundred men, sent to Cromwell for a treaty and cessation:

That news was brought to Cromwell, that the Scots army was marched about to Hamilton, and so intended for England:

That colonel Fortescue, with twenty-eight men in his company, were taken (some suspected willingly) by the moss-troopers between Leith and Berwick.

9. Letters that the lord Muskerry having gotten forces together to relieve Limerick, the lord Broghill met with them, routed them, killed five hundred on the place, besides many that were drowned in the Black-water:

That St. Johnston was rendered to Cromwell upon articles:

That he had in it four pieces of ordnance, much arms, ammunition, and provision:

That the general left a regiment of horse and another of foot, and four troops of dragoons, under the command of colonel Overton, to secure that place and the parts adjacent; and sent lieutenant-general Monk, with four regiments of horse, three of foot, and four battering pieces, to beleaguer Stirling:

The general hastened to march after the king, who he had notice was advanced for England, and that by the way David Lesley summoned Bigger; and the governor returned a resolute answer, that he kept it for the commonwealth of England:

That Argyle and many other Scots lords were retired to their private dwellings:

That the king, Hamilton, and Bucks, with other lords, are with the army, which is about eight thousand, and supposed to be near Carlisle:

That major-general Harrison with a considerable party

was at Berwick, and expects a conjunction of other forces with him, to hinder the king's march:

That major-general Lambert was marched after the king.

Cromwell. 11. Letters from Cromwell to the parliament, of the reducing of St. Johnston, and of the enemy's march for England, and his following them, who, in desperation and fear, and out of inevitable necessity, were run to try what they could do in this way:

It is our comfort, that in simplicity of heart, as to God, we have done to the best of our judgments, knowing, that if some issue were not put to this business, it would occasion another winter's war, to the ruin of your soldiery, for whom the Scots are too hard, in respect of enduring the winter's difficulties of that country, and being under the endless expense of the treasure of England in prosecuting this war.

He shows the reasons why he did not interpose more between the enemy and England, and prays the parliament to use their courage by such forces as they have in readiness and can get together, to give the enemy a check till he can come up to them; and doubts not but the desperateness and folly of this counsel of theirs will appear, and puts them in mind of the Scots' former invasion, when England was much more unsteady than now, and the success of it not to be forgotten.

It is good to wait upon the Lord, upon the earnest of former experiences, and hope of his presence, which only is the life of your cause.

He gives them an account that major-general Harrison and colonel Rich, and the forces with them, shall endeavour to keep the Scots together, and so impede their march, and to join with your other forces; and that major-general Lambert marched with a considerable body of horse up to the enemy's rear, and himself was hasting after them; and that he hoped he had left a commanding force under lieutenant-general Monk in Scotland.

Harrison. Major-general Harrison gave an account by his letters to the parliament of the Scots coming into England; and of his giving notice to the commissioners of the militia of Lancashire, Cumberland, and other counties, to raise what forces they could, to join with him; that he had gotten together

three thousand horse, and hoped to hinder the enemy's march.

He desires some provision for four or five hundred godly men for two or three months, if he can get them mounted, and dated his letter,

7th of the 6th month, 1651.
at 11 o'clock forenoon. T. HARRISON.
Newcastle.

That in the success the lord Broghill lately had against the lord Muskerry in Ireland, the lord Muskerry's army consisted of one thousand horse and dragoons, and near two thousand foot. My lord Broghill had but four hundred horse and dragoons, and under six hundred foot. Ireland. Lord Broghill.

That the charge was very desperate on both sides; the lord Broghill had one hundred and twenty horsemen shot, and thirty killed; he charged him that led up the Irish opposite wing, and killed him, but the Irish did so overwing him, that his own troop, that consisted most of gentlemen reformados, was charged in front, flank, and rear, both by horse and foot; amongst which my lord was so far engaged that they offered him quarter, upon the refusal whereof, they cried, "Kill the fellow in the gold-lace coat."

Which in all probability had been effected, if a reformado, lieutenant of his troop, had not come in to his rescue; whose horse was killed on that account, and himself twice shot; the lord Broghill got off with a dry pike, beating by the pikemen, but his horse received three shots.

That the Irish lost six hundred men, among which many officers prisoners, but few were taken, besides some officers of the field; that the defeated army had designed conjunction with the Lemster forces, and the relief of Limerick.

12. An act passed to put the militia in London and the several counties into a present posture. London.

An act passed prohibiting correspondence with the king and his party, and declaring the successes in Scotland; and the king was fled into England, and that it should be death to give any intelligence or assistance to them. 502

13. An act passed to expel delinquents out of London, and that all give in what arms they have or know of, and for raising of forces; and to indemnify all listed persons in the service of the parliament.

An account of forces shipped for Scilly.

An account of forces preparing in Lancashire and Cheshire to join with major-general Harrison.

14. Letters that the king marched out of Perith with his forces, and major-general Lambert quartered there next night; that they took up many straggling Scots:

Scots invade England. That major-general Harrison was in the van of them; that sixteen great lords of Scotland had deserted the king for invading England.

15. Letters that the Scots were near Preston; that Cheshire had sent out three thousand foot to maintain Warrington-bridge against the king, and Lancashire was not wanting; that in Coventry seven hundred men were got together; and that men were very ready to join against the Scots:

Of securing disaffected persons:

That the Scots army are supposed to be twelve thousand, besides their train:

That major-general Lambert was within half a day's march of the king, and Cromwell was not far behind; that the Scots were gone the ready way to Lancashire:

That the English scouts took a Scotch laird, and some letters to Mr. Crofts.

C. Alured. 16. Letters that the towns in Fife began to revolt, supposing that all the English were gone out of Scotland; that colonel Alured stormed and reduced them again, killed many, and took two hundred prisoners, and took divers arms, colours, and great guns:

Preston. That the Scots army was advanced to Preston, and in great confusion; that major-general Lambert, with four thousand horse, pursued them, and Cromwell, with ten thousand foot, followed him, and major-general Harrison, with a considerable body, coasted them with four thousand horse more; and many forces were ready in the countries they were to pass to join with them, and vessels were sent with intelligence to the frigates:

That three thousand Lancashire foot had undertaken to secure the pass at Warrington, and that Lambert and Harrison were joined; that Cromwell was within two days' march with ten thousand foot.

18. Letters of the soldiers to their fellow-soldiers to encourage them to oppose the Scots.

From major-general Harrison to the council of state, that Lambert and he were joined, and were about six thousand horse in the van of the enemy: Harrison.

That the enemy made some halt on a moor four miles from Lancaster, which somewhat amazed them; but they went on to Preston, and designed to get before to the pass at Warrington, where were three thousand foot to join with Lambert and Harrison, who intended to march thither:

That they heard the king was cast down, for that his subjects came in no faster to him, and did not answer his expectation in persons or number, but divers ran away from him. That Cheshire had been very forward in their levies, and most of the three thousand foot came from thence; that he was assured of a glorious issue of this work:

That Cromwell was come into England with eight regiments of foot and the train, the soldiers tired with a long march:

That Newburn carried good store of provisions to the soldiers, among whom was not a loud word or an oath:

That colonel Lilburn marched with one thousand horse to join with Lambert.

That the English before Stirling-castle killed thirty of the castle soldiers in one day's battery.

From the governor of Oxford to the council, that the vice-chancellor and colleges had raised one hundred and twenty horse for the parliament's service, and had engaged in the university and city to raise a regiment of foot. Oxford.

19. Letters from Lambert and Harrison,

That the Scots army came and pressed to pass at the bridge and fort near it, which we had broken down and spoiled as well as we could in so short a time; a company of our foot were drawn down to the barricado of the bridge, who behaved themselves gallantly, and gave the enemy opposition till we saw cause to draw off, securing their retreat by parties of horse;

Which we did, because we were unwilling to engage our army where our horse could not do us service for the enclosures. The enemy thereupon hastened over their whole army, and their king in the van, if not forlorn, with his own lifeguard, (as some prisoners told us since,) and pressed hard upon our rear, whereof colonel Rich had the guard, who wheeled off parties, and charged them thrice as they came on; and the Lord caused the enemy every time to fly before us.

We killed the officer that commanded one of their parties, and two or three troopers; and some countrymen since tell us, that twenty-eight of theirs were slain in the several skirmishes, and but four of ours, that I can hear of, there and at the bridge.

As they fell on, they cried, "Oh, you rogues, we will be with you before your Cromwell comes!" which made us think they would press to engage us with all speed.

We are drawing up at Knockforth-moor to wait them; but since, we hear, they are marched a good part of the night on London road.

Lambert wrote thus to the council:

Letters from Lambert.

I sent to you before my thoughts of the untenableness of the pass at Warrington; since which the enemy, pressing close after us, came to Warrington town before we could get the bridge broken.

The enemy pressed hard on us in the lanes, but we came off well; I commanded the rearguard to charge, which they did, and routed the enemy; and their own men falling foul upon their other two bodies routed them also.

We had the pursuit of them at least a mile; we killed him who commanded the party, and about eight more, and took six prisoners, besides divers wounded; this gave us time to ride two miles without any more trouble, and to draw out a new rearguard of colonel Rich's regiment.

Which having done, they again engaged us, and we charged them with the same success, killed and took the same number, and afterwards marched quietly to Knockforth-heath, and lost but one man, who was taken prisoner pursuing a trooper.

That we endeavoured to amuse the enemy, and to flank and front them, till the general came up to us; that we have nine thousand horse, and between three or four thousand foot to give them battle, if they force us to engage.

That not one county in England appeared in the least for the
503 king, but generally they raised forces against him; yet his army marched without committing any outrage, or doing any injury to the country.

The parliament passed an act to empower the militia of London, &c. to raise foot.

That the earl of Derby was landed but with two hundred and fifty foot and sixty horse unarmed; that the enemy seemed to bend towards North Wales.

The council of state, during this action, had almost hourly messengers going out and returning from the several forces,

carrying advice and directions to them, and bringing to the council an account of their motions and designs, and of the enemy's motions.

It could hardly be that any affair of this nature could be managed with more diligence, courage, and prudence than this was; nor peradventure was there ever so great a body of men so well armed and provided got together in so short a time as were now raised, and sent away to join with the rest of the forces attending the king.

20. Letters that they supposed it would be eight days before the general could get up to the enemy.

A Dutch prize brought into Plymouth laden with ammunition for the king, and richly gilded.

21. An account of forces raised in Salop and the neighbouring countries, and breaking of bridges, and endeavouring to divert the course of the Scots army.

That the governor of Stafford went to Harrison with seven hundred men.

That four thousand of the general's foot march in their shirts twenty miles a day, and have their clothes and arms carried by the country.

22. Mr. Love the minister and Mr. Gibbons were beheaded at Tower-hill, according to the sentence of the high court of justice. Mr. Love.

The under-keeper of Newgate having treated for the escape of Mr. Gibbons, and received 100*l.* in hand, and a bond for 100*l.* more, after this discovered it and secured Gibbons.

Letters from Lambert to the council, with an intercepted letter, the copy whereof he had sent to the general. The letter intercepted was taken from a Scots prisoner; it was from the king to colonel Massey, for leaving out a clause in the letter from the presbytery in the army to the ministers of Lancashire for taking notice of former malignancy of persons.

That the Scots began to plunder extremely, and many of them were weak.

23. Letters that the Scots were marched from Nantwich towards Newport, and steered for London. That the general was expected within one day, and that the Scots were come to Litchfield:

Scots motion.

That five thousand countrymen appeared with horses at Coventry ready to serve the parliament:

That Harrison and Lambert were at Uttoxeter, and the Scots at Nantwich, their foot discontented and sick with their long marches; and the king came to them with cap in hand desiring them to march a little further:

That Harrison and Lambert had sent some forces to Worcester to secure that place, lest the king should make it a quarter or garrison; and that Gloucester was supplied; that the next day they expected to join with the general:

That the governor of Stafford made a sally upon a party of the Scots, and killed some of them, and gave an alarm to the whole army:

That an insinuating and deluding declaration was lately published by the king, that the Scots were marched to Whitchurch, the way to Wales:

That they hoped to hinder the earl of Derby from raising any forces in Lancashire, and if they make a halt, as it is supposed they must, by reason of the weariness of their infantry, the major-general hopes to give a good account of that business:

That lieutenant-general Monk had the castle of Stirling surrendered to him upon articles, with all their ordnance and ammunition.

25. Letters that colonel Pinchback had deserted the king and disliked his way.

Stirling-castle.

That the Highlanders in Stirling-castle beat a parley without the consent of the governor, being frighted with the mortar-pieces, and threatened to throw the officers over the walls if they did hinder them, and said, they would fight for their king, but not for their country's geer:

That the soldiers had broken open divers trunks in the castle, and carried out with them most of the best geer. That in the castle were forty pieces of ordnance, twenty-seven of them brass guns, and provision for five hundred men for twelve months, fifty barrels of beef, and about five thousand arms:

That all the records of Scotland, chair and cloth of state, the sword and other rich furniture of the king's, the earl of Mar's coronet and stirrups of gold, with his parliament robes,

and store of the goods of the country, were in the castle, which they carried away according to the articles, little or nothing being embezzled but what was by their own men:

That Stirling was one of the strongest and most magnificent castles of Scotland, and a pass of the greatest consequence:

That colonel Okey took some in the west of Scotland who were raising forces there:

That the Scots came to Worcester, where the country forces made a gallant resistance, and beat back the enemy several times; but the townsmen having laid down their arms, and some of them shooting at the parliament soldiers out of the windows, they removed their ammunition, while thirty men only resisted the enemy, and beat them back, and then withdrew and left the town to the enemy, and came to Gloucester: Scots.

That the king sent a summons to colonel Mackworth, governor of Shrewsbury, inviting him to surrender that garrison to him; but the governor returned him a peremptory denial:

That the king sent also letters to sir Thomas Middleton to raise forces for him in Montgomeryshire, but he detained the messenger prisoner, and sent up the letter to the parliament:

That lieutenant-general Fleetwood and colonel Desborough and other officers met with Cromwell at Warwick.

Letters that Limerick was in great straits; that the Irish increased in numbers; that they had surprised a garrison of the parliament's, the soldiers being asleep, and stormed Fenagh, but were beaten off with great loss.

The trained bands of London, Westminster, &c. drew out into Tuttle-fields, in all about fourteen thousand; the speaker and divers members of the parliament were there to see them.

26. The parliament kept this a day of humiliation at St. Margaret's church in Westminster.

A letter from the king to the city of London was burnt by the hangman; and the parliament's declaration was published by beat of drum and sound of trumpet, proclaiming all those to be traitors and rebels that do or shall adhere to the king and his party.

504 Letters from lieutenant-general Fleetwood,

Letters from Fleetwood.

That the Scots had left a party in Worcester, and had transported their army over Severn, intending to secure the passes, and invite their friends to them, and to refresh their wearied army:

That they have summoned the country to come in, to repair the works and royal fort at Worcester.

Indeed it is a mercy not to be slighted by us, that though this precious cause have so many enemies, yet so few adventure to come in to them:

That their army is twelve thousand horse and foot effective, and their foot so much harassed by often and frequent marches, that they did importune the king to take pity on them, who answered, that they should suddenly have refreshment, gave them good words, and told them what assistance he expected from his friends:

That they have very few English horse among them, their foot highlanders; that major-general Massey marches with a party to Gloucester, in hopes that upon his approach his old friends will appear for him.

My lord general came last night to Warwick; the foot will be there this night; we shall either this day or to morrow march near the enemy, and not give them the liberty of ranging far; and though their confidence be much in their passes, yet I trust we shall not find them and the work so difficult as it seems at a distance both to you and us.

However, you know hitherto the Lord hath carried us through the greatest straits before we have attained our desired issue, and if it be so now, it shall be the less strange to us. I shall not further trouble you, save to subscribe myself,

Sir,

Your most faithful and humble servant,

Banbury, 25 *Aug.* 1651. CHARLES FLEETWOOD.

A messenger from the army brought an account that the lord-general, the lieutenant-general, the major-general, the lord Grey of Groby, met at Warwick.

That lieutenant-general Fleetwood went from them to Banbury to his forces; that the lord-general's foot and train were to be in Warwick; that the enemy was fortifying Worcester, where they proclaimed their king.

27. Letters that the militia in Coventry and in all the countries thereabouts appeared very willingly and numerously against the Scots.

Of hail fallen about Towcester as big as musket bullets, which killed many birds and broke many windows; and such lightning for four hours, as never was seen by any man alive, which burnt a rick of wheat in the field, and did a great deal of hurt to trees and gardens:

That the lieutenant-general's foot was come up to Warwick, and the forces marched to Stratford-upon-Avon; that the enemy was fortifying Worcester very fast, and sent parties of horse to bring in provisions, but their army moves not as yet:

That the lord Talbot, the earl of Shrewsbury's eldest son, was come to the king; that the major of Worcester and a committee-man were knighted by the king.

One Young, that was treasurer to the committee, and that had a hand in contriving the revolt of Worcester, was taken:

That Gloucester was in a good condition, and had men enough to defend it, and none of the Scots appeared before it, nor any summons was sent to it; many of the country horse and foot came in to their defence:

That the Scots intrenched themselves a mile and half west of Worcester in the fields; the king sent a summons to all between sixteen and sixty to come in to him to Worcester, but none came:

That the Scots brought in sixteen cartloads of ladders with the rear of their army. The lord general intended to be this night at Evesham within twelve miles of Worcester.

28. A messenger from the general who left him upon his march from Stratford to Evesham, that the forest of dean rose for the parliament, and many came into Gloucester and Hereford to defend those places, whither the scouts brought word that the enemy was marching with some horse and foot, and that they had left four regiments in Worcester:

That Fleetwood was at Shipton, to join with the general at Evesham:

That Coventry sent provisions to the general and his army very seasonably:

That the general's horse faced Worcester, and the enemy's bodies went towards Hereford.

An intercepted letter said that the king was come within thirty miles of London with a gallant army, and that the earl

of Derby was come to him with four thousand horse, and the earl of Northumberland with four thousand foot:

That Somersetshire had two regiments of foot under colonel Pine and colonel Kedley, and two regiments of horse under colonel Popham:

That the king's horse was about seven thousand and their foot as many; that their discipline is very strict, and some prisoners brought before the king were courteously treated by him, and having kissed his hand were discharged:

Earl of Derby.

That colonel Lilburne with a good party was marched towards the earl of Derby, and the parliament ships went after the earl's frigates, two of which frigates were split coming near the shore to land the soldiers:

That Yorkshire was active in raising forces for the parliament, and that the lord Fairfax declared to join with them in any capacity, to the great encouragement of that country; that thirteen hundred of their horse and dragoons were in Scotland.

29. Letters that after the taking of Stirling colonel Okey marched with fourteen hundred horse and dragoons to meet with some lords sent from the king into the west of Scotland, and he took some of them and frighted away the rest, and fined the towns where they sat:

That one may ride with two hundred horse all over the west of Scotland; that a party met with fourteen Scots ministers and took them prisoners; they confessed they had been silenced by the assembly of the kirk whom they opposed; they were thereupon dismissed:

That colonel Lilburn fell upon the earl of Derby near Wiggan, who had got together fifteen hundred men; that the dispute was hot for near an hour, and then the earl's forces were routed; the earl himself wounded, but escaped; the lord Widdrington and eighty officers and persons of quality slain, four hundred prisoners taken, whereof many officers and gentlemen; that colonel Lilburn had not half their number, and scarce half of them could come up to charge:

That colonel Lilburn lost but one officer, and not above ten or twelve in all. The earl retreated into Cheshire with about eighty horse, and a party gone in pursuit of him thitherwards:

That lieutenant-colonel Ashurst fled with a few to an house 505
for his security:

That lieutenant-general Fleetwood marched with his brigade within three miles of Worcester, where the king was fortifying the place; that they brake down Upton-bridge, and lay as large as to Malverne-hills:

That some few of the country come in to them, and they exact money or provisions from the country; that the general hath sent for colonel Lilburn and colonel Clark with their regiments to come to him.

30. Letters that at the routing of the earl of Derby were taken prisoners five colonels, the adjutant-general, four lieutenant-colonels, one major, four captains, two lieutenants; and slain, and dead since they were taken, the lord Widdrington, major-general sir Thomas Tiddesly, one colonel, two majors, and divers others of quality; all their baggage, sumpters, arms, and ammunition taken, and the earl of Derby's three cloaks with stars, his george and garter, with other robes:

That colonel Lilburn took many commissions of the king's to several persons in the north to raise forces for him:

The parliament ordered 500*l.* to colonel Lilburn, 200*l.* per annum, as a mark of honour for his faithful service, and 100*l.* to his lieutenant that brought the news from him; and ordered that the ministers in the respective churches in London and Westminster do the next Lord's day give thanks to God for the surrender of Stirling-castle, and for the defeat of the earl of Derby, and pray for a blessing upon the parliament forces now near an engagement.

The parliament ordered to colonel Mackeworth a chain of gold with a medal, as a mark of their favour for his faithful and gallant refusal of the king's summons to render Shrewsbury-castle.

Letters that the general's head quarters were within two miles of Worcester; that the enemy seemed to be resolved to venture all at Worcester, in and about which place all the king's army were, and they had raised a new fort; that the parliament's guards were within musket-shot of it; and general Fleetwood with his body lay at Upton:

That the pass at Upton-bridge was taken by major-general Lambert:

That a party of the enemy sallied out of Worcester, but

the parliament's forces beat them back to their works, and killed fourteen of their men; that the country came in freely to the parliament's army:

That Massey with a troop of horse ferried over the Severn between Tewksbury and Gloucester, and discoursed with some women there, who say that Massey's horse was killed under him at Upton, and he wounded in the hand and leg:

That the enemy's horse encamp a mile on the other side of Worcester, and their foot most part in Worcester.

That Cromwell drew his army in the face of Worcester, but they would not meet him with their army; but there was some small pickeering and shooting of muskets behind the hedges, but nothing considerable attempted.

Ministers. 31. The Lord's day: the ministers who were not of the rigid presbyterian judgment gave thanks in their churches for the successes of the parliament's forces in Scotland, and against the earl of Derby, according to the parliament's order for that purpose: and they likewise prayed to God for his blessing upon the parliament's forces now near to an engagement with the enemy.

But some of the more rigid persons did not think fit to observe that order, but neglected it, and had their private meetings to pray to God to bless their brethren of the presbytery, and their countrymen.

September 1651.

1. Letters from major-general Lambert's quarters:

That he marched the 28th of August in the morning with a party of horse and dragoons from Evesham towards Upton; about ten in
Worcester. the morning he approached the bridge over the Severn, which the enemy had broke down, all but a foot-plank. The dragoons got up upon the bridge before the enemy in the town (who were about two or three hundred horse and dragoons) took the alarm; while they fired upon the bridge against the enemy in the town, (being within their sight and shot,) our horse partly forded, and partly swam over the river, about pistol shot from the bridge; and the dragoons advanced withal, and forthwith, by the major-general's order, took possession of the church upon a little hill near the bridge foot, being about eighteen.

The enemy drew up, and came to the church, and shot their pistols and thrust their swords in at the windows; but the dragoons gallantly fired upon them, killed three or four of their men, eight

or nine of their horse, and took one Scot shot in the arm, Massey's own horse being killed upon the place, and we are very strongly informed Massey shot in the arm.

By this time our horse were come up in a small party, at whose appearance the enemy faced about without charging; our men had the pursuit, but not knowing but that the enemy might be a great body, forbore.

And major-general Lambert sent for lieutenant-general Fleetwood with his whole brigade, (where my lord Grey is,) to make good what they had gained, being four miles behind.

He presently mounted three hundred foot behind troopers, and hastened to the bridge, the rest following.

Major-general Lambert in the mean time using abundance of diligence to make up the bridge for the party to march over, and receiving no interruption from the enemy, it was speedily accomplished, so that we marched all over the pass at night.

Two guns came to us, and we had a hot but false alarm that night: colonel Blundell commanded the guard, and at night took the prisoner whose examination is enclosed.

In the morning colonel Blundell sent out another good party of horse and dragoons, who marched three miles toward the enemy, and had scouts a mile and a half further, but discovered no enemy; only being in the sight of Worcester, they discovered the general and his forces near Worcester, and his guns playing upon the town.

Major-general Lambert and major-general Deane themselves wrought in the making up of the bridge; and as soon as it was done, the general sent to them to come to him then near to Worcester.

Major Mercer carried himself stoutly and gallantly in this business, and indeed Massey brought up the rear very stoutly; when they turned about, at least forty carabins were shot at him within half pistol-shot, and he was for certain shot in the hand and thigh.

This was a seasonable mercy, and more advantageous than can well be expressed: major Mercer possessed Maxfield-house betwixt 506
Upton and Worcester, the enemy quitting it upon our taking the pass.

This day the general came to visit us at this pass, and was entertained with abundance of joy, by extraordinary shouting of each regiment, troop, and company, as he went to salute them:

That the enemy lay in and near Worcester on Herefordshire side, the lord general on this side, lieutenant-general Fleetwood on the other side at Upton; that the enemy had burnt down the suburbs of Worcester to the walls round about:

That their grandees are much distracted, and think they were betrayed into this place; many sallies they have made, but were beaten back; once they sallied out with a thousand upon three hundred of ours, but they were gallantly repulsed, and seven or eight of them killed, with the commander that led them.

On Saturday the lord general was with the lieutenant-general viewing his forces, and consulting how to carry on the work when the boats were ready; that his train was come to the lieutenant-general.

Scotland. From Scotland, of gatherings of the Scots, especially Highlanders, who plundered the country people, and then fled up to the hills, where the parliament forces could not follow them:

That the lieutenant-general in Scotland marched with a considerable party and some great guns towards St. Johnston, near which the Scots were making new levies, but they were all dispersed:

That the lieutenant-general sent a summons to the town of Dundee and the country about, to come and submit to the parliament of England; but they answered, that they were not satisfied in conscience to do what he required, but would give an answer to colonel Overton, who had before sent to them the like message:

That the ministers of St. Johnston refused to preach, unless they might pray for the king and their army in England; the governor told them, they might preach the gospel of Christ; but that would not satisfy them:

That in swimming over the river, to come to Dundee, two or three men and horses were drowned.

Among other countries, Oxfordshire had raised a regiment of foot and two troops of horse, to assist the lord general before Worcester, and had chosen my son James to command both their horse and foot: he was the colonel, Mr. Robert Warcup lieutenant-colonel, and the major and captains were most of them Oxfordshire gentlemen.

They wrote to my son James to acquaint him herewith, and to desire him to come into England to accept of this command, to which the committee had freely chosen him; he returned thanks for the honour his countrymen had done him, accepted the command, and promised to hasten into England to serve them.

But before he could come over from Ireland, the king with his army being come into England, and all the new raised forces being commanded to march to the lord general towards Worcester, his lieutenant-colonel Warcup marched with his regiment of foot thither.

2. An act passed to enable the commissioners of the militia to raise money for the present service of the commonwealth.

A messenger from the head quarters informed that the lord general and lieutenant-general met and viewed their forces, and consulted about carrying on of the work, and prepared to receive the enemy if he should engage, who came forth in a full body, but would not come near to Cromwell, who thereupon sent out a party against them: upon whose approach the Scots retreated into the city: Worcester.

That the parliament forces were got within half musket-shot of the enemy's works, and their cannon played daily into the city with good execution:

That the earl of Derby came wounded into Worcester with about thirty horse, and no more, of all his levies in Lancashire; which so distracted the townsmen, that they began to repent their deserting of the parliament:

That the king seeing his hopes in the earl of Derby frustrated, would have marched away with his horse; upon which his foot were ready to mutiny, and said, they should both endure the same fortune: the king and his officers had much ado by fair words to appease them.

The parliament voted, that whosoever had the king's declaration in their hands, should bring it in to the council or to the lord mayor of London, or some justice of peace, to be burnt by the hangman; and those who should not bring it in, or should disperse it, to be punished according to law. Vote.

Twelve regiments of London, being fourteen hundred, mustered in Finsbury fields; the speaker and divers members of parliament were there, and the lord mayor and sheriffs of London: the king's declaration was burnt by the hangman at the head of every regiment, who gave loud shouts and acclamations thereupon.

That captain Escot, a parliament man of war, fetched two prizes out of the enemy's harbour in Scotland and brought them into Leith, laden with corn and other commodities.

In one of them were divers intercepted letters of consequence from the lord Argyle, Cleveland, and others, to the lord Jermyn, captain Titus, the earl of Newcastle, and others in Holland:

That the same man of war fought three hours with another ship bound for the enemy, laden with wine, arms, and ammunition, and at length sunk her and all her goods, except ten hogsheads of wine, which were saved, and a few of the passengers; the rest were drowned.

3. Letters that a party of the enemy's horse moved and pulled down two bridges of the river Tearne in Herefordshire, but being flanked by a party of lieutenant-general Fleetwood's, supposing they intended to march away, they retreated:

That a servant of Massey's came into Cromwell's quarters, and reported that the wants of the king's army were very great; that his master was shot in the hand, and the earl of Worcester wounded in the mouth.

Major Mercer, with a strong party, was sent to secure Bewdly-bridge.

C. Alured. From Scotland, that a party of colonel Alured's men being sent out to prevent their new levies, seven miles from Dundee they found old general Leven and several other great lords raising of forces, whom they apprehended, and brought away prisoners.

Tory. Letters that Scurlocke, the famous tory, took two small garrisons of the parliament's in Ireland; that the garrisons

Ireland. of Limerick and Galloway were much straitened; that two thousand sallied out of Galloway upon colonel Russel, (who commanded there in sir Charles Coot's absence,) but were

507 repulsed with the loss of two or three hundred of their men, and but six of Russel's lost:

That the remnant with Clanrickard increased in number, but were so full of terror, that, upon the advance of sir Charles Coot and colonel Reynolds towards them, they quitted divers strong passes, and a castle of consequence; where the soldiers had quarter for life, the officers and protected people left to mercy, and some of them hanged:

That the enemy took Raghara-castle from the parliament, surprising most of their men gathering contribution in the country, who were likewise cut off; that the sickness is still

in those parts: that the commissioners of parliament appointed a day of humiliation.

4. Letters from Scotland to the speaker, that after the taking of Stirling lieutenant-general Monk marched to Dundee for the reducing of that place, and summoned it; they, in answer to his summons, sent him a proclamation from the king, that whosoever would lay down arms, and come in to them, should have mercy: Monk.

That this impudence of theirs was occasioned by the promise of old Lesley, earl of Leven, with divers other lords and ministers commissioned from the king to raise forces, whereby he would relieve the town:

Private intelligence being given hereof, colonel Alured with a good party marched to the place of their rendezvous, and surprised old Leven and the lord chancellor, with divers other lords, six or seven of their ministers, and three hundred more persons of quality.

Letters from Worcester: Worcester fight.

Sir,

This day hath been a glorious day; this day twelvemonth was glorious at Dunbar; this day hath been glorious before Worcester; the word was then *The Lord of Hosts*, and so it was now, and indeed the Lord of Hosts was wonderfully with us.

The same signal we had then as now, which was, to have no white about us; and indeed the Lord hath clothed us with white garments, though to the enemy they have been bloody.

In the morning, 3 Sept., lieutenant-general Fleetwood had order to advance with his brigade on the other side Severn, and all things being prepared for the making of a bridge, and having cleared our passages with a forlorn, we laid a bridge over Severn, and another over Tame.

Our foot disputed the hedges with much courage and resolution; the fight began on the other side Severn, and our foot from this side began it, they clearing the way for the rest to come over after them.

The right wing of lieutenant-general Fleetwood's forces came over the bridge of Tame, while the left wing disputed the bridge at Poyke, which dispute lasted a long time, and was very hot; but the Lord gave our men to gain ground of the enemy till we had beaten them out of the ground.

While this was doing, the enemy rallying made a very bold sally out on this side of the town, and came with great bodies of horse

and foot, supposing most of our army had been drawn out on the other side: they gave our men a very hot salute, and put them to a little retreat and disorder.

But in a short while the Lord gave us victory on this side also; our foot did very noble and gallant service, and they disputed with them, not only the hedges, but followed them boldly to the very mouth of their cannon, which was planted on their mountain-works.

At length we gained their works, and planted their guns against them in the town, and we hear that some of our horse and foot are in the north and east end of the town: the night came on so fast that we could not pursue further.

Most of their horse escaped, but my lord general despatched major-general Harrison's brigade after them: we cannot yet give an account who are taken or slain, but we conceive the number of their slain far exceeds the number of the prisoners; but I guess the number of the killed and taken to be about eight or ten thousand.

To morrow we shall be able to give you fuller relation.

Our quartermaster-general and captain Jones is slain, and Mr. Howard, captain of the lifeguard, is wounded, and major-general Lambert's horse was shot under him.

Yours to serve you,

Sept. 3, 1651. ROBERT STAPLETON.

Other letters came to the same effect.

5. Letters of the militia troops riding up and down the counties to prevent insurrections:

Of a pinnace of the earl of Derby's taken by one of the parliament's ships.

A letter from general Cromwell to the speaker of the victory at Worcester, but the particulars in one following.

6. A more particular letter from the lord general Cromwell to the parliament, thus:

Letters from Cromwell.

I am not able yet to give you an exact account of the great things the Lord hath done for this commonwealth and for his people, and yet I am unwilling to be silent, but according to my duty shall represent it to you as it comes to hand.

This battle was fought with various success for some hours, but still hopeful on your part, and in the end became an absolute victory, and so full a one as proved a total defeat and ruin of the enemy's army and possession of the town; our men entering at the enemy's heels, and fighting with them in the streets, with very great courage, took all their baggage and artillery.

What the slain are, I can give you no account, because we have not taken an exact view, but they are very many, and must needs be so, because the dispute was long, and very near at hand, and often at push of pike, and from one defence to another.

There are about six or seven thousand prisoners taken here, and many officers and noblemen of quality:

Duke Hamilton, the earl of Rothes, and divers other noblemen, I hear the earl of Lauderdale, many officers of great quality, and some that will be fit subjects of your justice. We have sent very considerable parties after the flying enemy: I hear they have taken considerable numbers of prisoners, and are very close in the pursuit.

Indeed I hear the country riseth upon them everywhere, and I believe the forces that lay, through Providence, at Bewdley and in Shropshire and Staffordshire, and those with colonel Lilburn, were in a condition as if this had been foreseen to intercept what should return.

A more particular account than this will be prepared for you as we are able; I heard they had not many more than one thousand horse in their body that fled, and I believe we have near four thousand forces following and interposing between them and home. 508

Their army was about sixteen thousand strong, and fought ours on Worcester side Severn almost with their whole, whilst we had engaged half our army on the other side, but with parties of theirs.

Indeed it was a stiff business; yet I do not think we have lost two hundred men; your new raised forces did perform singular good service, for which they deserve a very high estimation and acknowledgment, as also for their willingness thereunto.

Forasmuch as the same hath added so much to the reputation of your affairs, they are all despatched home again, which I hope will be much for the ease and satisfaction of the country, which is a great fruit of the successes.

The dimensions of this mercy are above my thoughts; it is, for aught I know, a crowning mercy; surely if it be not, such a one we shall have, if this provoke those that are concerned in it to thankfulness, and the parliament to do the will of Him who hath done his will for it and for the nation; whose good pleasure is to estsblish the nation, and the change of the government, by making the people so willing to the defence thereof, and so signally to bless the endeavours of your servants in this late great work.

I am bold humbly to beg that all thoughts may tend to the promoting of His honour who hath wrought so great salvation and

that the fatness of these continued mercies may not occasion pride and wantonness, as formerly the like hath done to a chosen people;

But that the fear of the Lord, even for his mercies, may keep an authority; and a people so prospered and blessed and witnessed to, humble and faithful, that justice and righteousness, mercy and truth, may flow from you, as a thankful return to our glorious God; this shall be the prayer of, sir,

Worcester, Sept. 4, 1651. Your most humble and obedient servant, O. CROMWELL.

The parliament ordered a thanksgiving-day, and the letters of the general to be read by the ministers.

From major-general Harrison:

Harrison. We are in pursuit of the enemy about four thousand; we have taken more already of them, fourteen hundred horse and foot, many considerable persons among them, the lord Cleveland and the earl of Derby; they make no resistance when any of ours overtake them, but ride post and in great confusion, their king being the foremost.

Mr. Scot and major Salleway returned from Worcester; a particular account they could not give, because all things were then in confusion; lords, knights, and gentlemen, were then plucking out of holes by the soldiers.

The common prisoners they were driving to the cathedral church in Worcester; and what with the dead bodies of men and the dead horses of the enemy filling the streets, there was such a nastiness that a man could hardly abide the town: yet the lord general had his quarters in Worcester, the walls whereof he hath ordered to be pulled down to the ground, and the ditches filled up.

The lord Hamilton's leg was broken, and he sent to the general for a chirurgeon to dress his wounds. The militia forces behaved themselves gallantly; five thousand out of Norfolk and Suffolk came in cheerfully the same night of the fight; the lord general dismissed them all home.

The regiment of Surrey under sir Richard Onslow, and the troop under captain Walter St. John, marched hard to come up to the engagement.

Prisoners taken: three English earls, seven Scotch lords; of knights, four; of colonels, lieutenant-colonels, majors, captains, and other officers, about six hundred and forty; the king's standard and one hundred and fifty-eight colours taken; ten thousand prisoners,

and above two thousand slain; the king's coach and horses, with rich goods, and all arms, bag and baggage, taken.

On the parliament's part, slain, one hundred soldiers, and three hundred wounded; quartermaster-general Mosely and captain Jones slain, and no other officers of note; captain Howard and another captain wounded.

8. A particular account from lieutenant-general Fleetwood of the whole action at Worcester; of three thousand slain; ten thousand taken prisoners, with all their arms, bag and baggage; the flight and pursuit of the enemy, &c.

Letters from Scotland, that a party of the parliament's from Edinburgh, after an hour's fight, took Dumfries and the country, who made opposition, contrary to their engagement, smarted for it: Scotland.

That lieutenant-general Monk having received a scornful anwer to his summons from the governor of Dundee, he stormed the town, and in a quarter of an hour became master of it: Dundee.

That major-general Lumsden and six hundred of the enemy were slain; and there was in the town good store of arms and ammunition; eleven pieces of ordnance and sixty sail of ships in the harbour:

From Cheshire, that one thousand of the king's horse passing through Sanebarch on a fair-day, the townsmen and countrymen, as they passed by, fell upon them with clubs and staves and the poles of their stalls, knocked them down, and took about one hundred of them:

That the country rise upon the routed Scots, and kill and take many of them.

9. A proclamation for the apprehending of the king, and a promise of 1000*l.* to any that shall do it.

Vote for the disbanding of forces taken into pay upon the present service.

Order for a day of thanksgiving throughout the kingdom for the success at Worcester, and an act to be brought in for an annual observation of the third day of September.

Letters that sir Philip Musgrave and others, raising forces about Galloway, were taken and killed by a party from Edinburgh, being in all about five hundred:

That major-general Massey came into Leicestershire, but not being able to go further, by reason of his wounds, wrote Massey.

a letter to the countess of Stamford, and surrendered himself to the lord Grey her son:

Sir Arthur Haselrigge. That sir Arthur Haselrigge, governor of Newcastle, upon notice of the defeat at Worcester, and the king's escape northwards, sent to the militia forces, and to the sheriffs of the four northern counties, to raise the *posse comitatus*, and to the lieutenant-general Monk, and forces in Scotland, to waylay those that fled; and went out himself with a party for that purpose.

The parliament appointed four of their members, whereof I was one, to go out of town to meet the general upon his
509 way from Worcester to London, and to congratulate from the parliament the great successes that God had given him.

Ireland. 10. Letters from Ireland, that the Irish lie up and down in small parties, robbing passengers by the highway, but meet not in a body, being divided in their councils; that Limerick and Galloway hold out.

That colonel Zanchey was sent out with two thousand five hundred foot, and twenty-eight troops of horse and dragoons into Connaught, upon intelligence of the enemy's gathering to an head there to engage them, or to strengthen sir Charles Coote about Galloway; but upon his marching over, the enemy presently dispersed.

The four members of parliament appointed to go out of town to meet the general went this day to Ailesbury.

11. Letters that a party of the parliament's forces marched forty miles a day in pursuit of the enemy, and at Lancaster fell upon some of them, routed them, killed about twenty, and took two hundred prisoners:

That two hundred more of them were taken about Shifnal in Shropshire, the earl of Derby, the earl of Lauderdale, and divers others of quality:

That major-general Harrison had taken two thousand of the Scots in the pursuit, and left but one thousand of them in a body; that the countries rose upon them; that a party of the parliament's about Warrington fell unadvisedly on their rear, and lost some men.

Complaint that the country are much burdened with the prisoners, there being no allowance for them; that five of them were put to death in Cheshire, and five more appointed to be executed the next day:

That at the taking of Dundee in Scotland were slain be- Dundee.
tween seven and eight hundred Scots, and taken fifty sail of ships, forty great guns, and provisions, and that with the plunder of the town the soldiers were grown rich and gallant, a private soldier hardly to be known from an officer.

That the lieutenant-general sent a summons to Montrose twenty miles north from Dundee.

The four members went from Ailesbury on the way the general was to come, and met him, and delivered their message to him from the parliament.

The general received them with all kindness and respect, and after salutations and ceremonies passed he rode with them cross the fields, where Mr. Winwood's hawks met us and the general, and many officers went a little out of the way a hawking, and came that night to Ailesbury.

There we had much discourse (and my lord-chief-justice St. John more than all the rest) with the general, and we supped together.

The general gave to each of us that were sent to him a horse and two Scots prisoners, for a present and token of his thankful reception of the parliament's respect to him, in sending us to meet and congratulate him.

The horse he gave me was a very handsome gallant young nag of sir John Fenwick's breed. One of the Scots prisoners he gave me seemed to be a gentleman of good quality, and he was of very good parts; I freely gave him his liberty and the other likewise, and gave them their passes to go to their own homes in Scotland.

12. Letters that at the storming of Dundee divers of the Dundee.
parliament's horsemen went on foot with sword and pistol to assist the footmen, and got into the town as soon as the other, and not above ten men killed on the parliament's part, and eight hundred of the enemy:

That it was the richest town of the bigness in England or Scotland; that some of the English soldiers got in the storm 500*l.* apiece.

That the inhabitants of St. Andrew's sent to lieutenant-general Monk, that they would submit to his summons, and deliver up their arms and ammunition; which was accepted; but because they refused former offers, the lieutenant-general fined them 500*l.* to the soldiery.

Cromwell. Cromwell came to London in great solemnity and triumph, accompanied with the four commissioners of parliament, many chief officers of the army, and others of quality.

There met him in the fields the speaker of parliament, the lord president, and many members of parliament and of the council of state, the lord mayor, sheriffs, and aldermen of London, the militia, and many thousand others of quality.

There was a great guard of soldiers, horse and foot, and multitudes of people in the fields and in the streets; he was entertained all the way as he passed to his house with volleys of great and small shot, and loud acclamations and shouts of the people.

He carried himself with great affability and seeming humility, and in all his discourses about the business of Worcester would seldom mention any thing of himself, but of the gallantry of the officers and soldiers, and gave (as was due) all the glory of the action unto God.

13. A list sent up to the parliament of many officers taken in pursuit of the Scots near Manchester:

That colonel Gerrard, who fell upon the rear of the Scots party in Cheshire, was by them taken prisoner, and carried four or five miles; when coming to a pass, where they saw clubmen ready to oppose them, two majors, three captains, and twelve soldiers, desired the colonel that they might be his prisoners, to avoid the clubmen; which he did, and brought them prisoners to Chester:

That the king was escaped, but the earl of Montgomery, and about eighty more, divers of them men of quality, were brought prisoners to Halifax:

That colonel Lilburn's regiment took divers officers of quality and two hundred soldiers, and sent them prisoners to York:

That the Yorkshire forces took lieutenant-general Lesley, major-general Middleton, many officers, gentlemen, and soldiers:

That duke Hamilton was dead:

Scots. That the Scots prisoners were conducted through the city, to the new artillery-ground in Tuttle-fields.

15. Letters that a party under colonel Okey took several houses in the Highlands by storm; that the Scots threatened

to hang all between sixteen and sixty that would not join with them, and executed some:

That eighty women were killed at the storming of Dundee, one hundred ships prize in the harbour:

That about one thousand Scots were brought prisoners by the country joining with the parliament's forces in Lancashire, and that of two thousand horse of the enemy that fled from Worcester few or none escaped.

16. Cromwell sat in the house, and the speaker made a speech to him, and gave him the thanks of the house for his great services; lieutenant-general Fleetwood, and other officers of the army, had also the thanks of the house: Cromwell and most of the members of parliament, and divers commanders of the army, were feasted by the lord mayor in London. Cromwell.

The parliament resumed the debate touching a new representative.

Debate of an act of oblivion and general pardon, with some expedients for satisfaction of soldiery and the ease of the people.

Order for a fast-day in the house, to seek God for counsel and assistance for improvement of his great mercies, and for doing things most to his glory and the good of the commonwealth. Fast-day.

Report to the house from the committee of the army of all the forces in England and Ireland, and the monthly charge of them.

A committee appointed to receive the agent from the commonwealth of Genoa.

Letters that the moss-troopers killed four of the parliament's soldiers and two passengers, and endangered the packet; and that the forces in the north were on the borders to meet with the flying Scots:

That the commissioners of the militia in Worcestershire were disbanding the militia forces, demolishing the works, and securing the persons and estates of such as adhered to the king.

17. The Scots prisoners came to London, and among them, who were not discovered before, were the lord Grandison, colonel Blague, and others of quality: the parliament or-

dered the trials of the earls of Cleveland, Lauderdale, Derby, mayor and sheriffs of Worcester, and others.

Scots. 18. Letters that Aberdeen was quitted by the Scots; that divers died of the spotted fever at Leith, colonel Hubbold and others; and that lieutenant-general Monk had been dangerously sick:

That the gentlemen of Fife submitted to the government of England.

An account of dismissing militia forces, and of the trouble to the countries by the Scots prisoners.

19. Letters that upon the suit of general Leven sir Arthur Haselrigge had given leave for his being prisoner at his son-in-law's house, Mr. de la Vale, upon his parole, and Mr. de la Vale gave bonds of 20,000*l.* for his being a true prisoner.

20. Upon the desire of the Guinea merchants, fifteen hundred of the Scots prisoners were granted to them, and sent on shipboard to be transported to Guinea, to work in the mines there; and upon a quarrel among the soldiers in the barges two or three of them were drowned.

22. Letters that Limerick would gladly accept of the first offers of the lord deputy; that they have divisions among themselves; that they made a sally with one thousand foot upon the parliament's forces, who, after an hour's dispute, killed eighty of the Irish, and wounded many, and had nine slain, and thirty-five wounded of the parliament's soldiers.

The house kept a private fast in the house.

Act read for a thanksgiving-day; and another act for a yearly observation of the third day of September in all the three kingdoms, with a narrative of the grounds thereof.

The high courts of justice continued for three months by a new act.

Letters of a prize taken with 20,000 dollars, and rich lading.

General Popham. 24. The funeral of general Popham was accompanied from Exeter-house by the speaker and members of parliament, the lord general and council of state, with great solemnity, to Westminster.

25. Two of the parliament's soldiers in Scotland sentenced to ride the wooden horse, for seizing and carrying away a

chest of goods, buried by a countrymen in the fields; and lieutenant-general Monk published a proclamation for the better prevention of disorders and plundering in Dundee.

26. That the enemy in Limerick have made many overtures for another treaty, but it would not be granted; that the priests and friars among them bind them by new oaths, but they dare not trust one another; that the lord deputy is before Clare-castle. Ireland.

27. Letters of the Jersey pirates doing mischief upon the western coast.

The parliament ordered a bill to be brought in for setting a time for the ending of this parliament, and for constituting a new representative. New representative.

29. The narrative of the mercies and victories obtained by the parliament's forces in Scotland and England.

The lord mayor and sheriffs of London were presented at the exchequer.

30. Letters that colonel Reynolds had taken in Bellebeg-castle in Ireland, and dispersed Dungan's forces; that whilst colonel Hewson was abroad, the enemy took in two or three small garrisons of the parliament's near Dublin, but upon Hewson's return they quitted them. Hewson.

An act passed for providing maintenance for maimed soldiers, and widows of soldiers.

Order for a bill for confirmation of the sale of bishops' lands, and the lands of deans and chapters, &c.

October 1651.

1. Several new acts of parliament read and debated in the house.

2. Letters of some discontent in colonel Okey and his party, for that the taking of general Leven, and those with him, was misrepresented to the parliament and general; and that right was not therein done to others as well as to colonel Alured and his party. Okey. C. Alured.

An account from Hull of recruits sent for Scotland.

3. Letters, that in Scotland they report the king to have entered London in triumph, and to be shortly crowned; and that Middleton was upon the borders with an army of eight thousand; that the ministers gave thanks in their pulpits for the great victory obtained by their forces in England. Scotland.

That they were confident that the lord general went not

about to conquer kingdoms, to attain titles or territories, to propagate his praise or promotion; but the public peace, the prosperity of the people, and the praise of God more than the praise of men.

That the soldiers seized a man of war in the harbour of Aberdeen.

That the marquis of Huntley, with six hundred horse and one thousand foot, was marched into the Highlands, and that Balcarris had some forces.

4. Letters of four soldiers in Scotland sentenced for robbing a countryman of 7*l.*, to be led to the gallows with ropes about their necks, and there to have thirty stripes, and to be kept in prison with bread and water till they had restored fourfold to the countryman, and asked him forgiveness on their knees.

That Evandale-castle was surrendered upon conditions, and that divers gentlemen returned to their habitations about
511 Leith, and engaged to live quietly, and submit to the parliament of England.

Earl of Derby.

6. Letters that the earl of Derby was tried at a court-martial at Chester, at which were twenty officers, captains; and above that degree, five colonels, major-general Mitton, and colonel Mackworth the president:

That the earl confessed the plot for a general rising of the presbyterians in Lancashire, to join with the king; but it was disappointed by the apprehending of Mr. Birkenhead:

That sir Thomas Tiddesly, major Ashurst, and major-general Massey, were principal actors in that conspiracy.

He confessed the matters of treason charged against him, and submitted to the mercy of the parliament. And for plea,

1. He alleged he had quarter given him, and therefore was not to be tried by a court-martial for life; but this was overruled by the court.

2. He pleaded ignorance of the acts of treason set forth by the parliament, which plea was also overruled; and the court sentenced him to be beheaded for his treasons at Bolton, where he had killed a man in cold blood.

The earl seemed very desirous of life, and petitioned the lord general upon the point of his having quarter, but had no relief from him.

The court sentenced sir Thomas Feverston to be beheaded

for the same treasons; and captain Benbow to be shot to death.

The parliament ordered Dr. Drake, and several ministers and others, to be tried by the high court of justice, for being conspirators with Mr. Love. Conspirators.

Letters that the lord Argyle was fortifying his house and other places in Scotland; and that the lords and gentlemen thereabouts came flocking home, and were willing to close with England: Scotland.

That the remonstrants kirk party damned all that was done by the other kirk party, who were for the king:

That the marquis of Huntley was much disappointed by the country's refusing to come in to him; and that now they begin to fear that their army in England is defeated.

7. The parliament ordered three regiments of horse and five regiments of foot and thirty single companies to be disbanded, for the ease of the commonwealth, and several garrisons to be slighted.

The committee for regulating the law ordered to sit *de die in diem.*

An act passed for the increase of shipping, and encouragement of the navigation of this nation.

8. Letters that captain Young, who commanded the President frigate, coming to the Isle of Man, summoned it for the parliament; but the countess of Derby being there, returned answer, that she was to keep it by her lord's command, and without his order she would not deliver it up, being in duty bound to obey her lord's commands. Countess of Derby.

9. Orders of parliament for disbanding several regiments and companies, and some to be sent for Ireland, and the council of state to issue warrants for money for those disbanded, and for pay of the garrisons that are to be dismantled.

The bill committed for setting a time for the ending of this parliament, and for calling a new one.

10. Letters of difference between the marquis of Huntley and Argyle.

That the pickeeroons are busy upon the west of England, and that one of prince Rupert's fleet that ran from him was come into Weymouth harbour.

Letters of a thousand Scots prisoners shipped out of

Shropshire, and of colonel Cobbett's regiment gone for Scotland.

Colonel Vaughan, Dr. Drake, and captain Massey, were tried by the high court of justice, for being in the conspiracy with Mr. Love, and they submitted to the mercy of the parliament.

Earl of Derby.

13. Letters that the earl of Derby attempted to escape, and was let down by a rope from the leads of his chamber, but some, hearing a noise, made after him; and that he was retaken upon Dee bank.

He wrote a handsome passionate letter to his lady, to comfort her, and advised her, as then matters stood, to surrender the Isle of Man upon good conditions.

Of divers castles in Scotland surrendered to the parliament of England, and that their new levies go on there very slowly.

Bill for a new parliament.

14. The parliament sat in a grand committee about the bill for putting a period to this parliament, and appointing a new one, and ordered to sit every day (except Wednesdays) for fourteen days about this bill.

Order for the forces reduced out of the garrisons to be put into regiments, and to march for Scotland and Ireland, and the standing army to be put into garrisons.

Conspirators.

15. Several petitions from Mr. Jenkins, Mr. Case, and others who were in the conspiracy with Mr. Love, by way of humble acknowledgment and submission.

The parliament pardoned them all, and ordered the commissioners of the great seal to pass their pardons.

London.

16. The lord mayor, aldermen, and common-council of London kept a special thanksgiving-day for God's mercies to the commonwealth, and feasted at Guildhall.

Scots.

Letters that divers Scots ministers were permitted to meet at Edinburgh to keep a day of humiliation, as they pretended, for their too much compliance with the king.

That the northern Scots were got together eighteen hundred, but divided among themselves.

From Ireland, that colonel Zanchey took thirty tories prisoners, and redeemed many English prisoners, and another party took sixty more of the tories.

That the Irish stormed and took Ross, but quitted it upon

approach of the parliament's forces; that they lost twenty men, and killed fifteen of the parliament's.

17. Letters that colonel Okey and three other regiments quartering in the country about Montrose, the gentlemen, finding that all their provisions would be eaten up, petitioned them to remove, and engaged to come in themselves, and to bring in the enemy thereabouts, to the parliament of England;

Whereupon the forces removed, and a cornet of colonel Okey coming to his regiment with a small party was set upon by many moss-troopers, who gave seven of them quarter, yet afterwards killed them in cold blood, and only the cornet and four more escaped. Moss-troopers.

That colonel Heane was shipping with his men at Weymouth for the design of Jersey.

18. Letters that captain Benboe was shot to death at Shrewsbury, according to the sentence of the court-martial, and that the earl of Derby was beheaded at Bolton the same day. Earl of Derby.

That captain Duckinfield with his men were shipped for the Isle of Man. 512

20. Letters of the particulars of the earl of Derby's death, who carried himself with stoutness and Christian-like temper. Earl of Derby.

21. Letters came from Holland that the Scots king was landed there with the duke of Bucks and the lord Wilmot, and others in seamen's clothes; and that upon the news thereof the princess royal and many with her went to Scheveling, where they met the king. King landed in Holland.

That an English man of war meeting with some Dutch fishermen, demanded of them the tenth herring, as an acknowledgment of the sovereignty of England in those seas; but the Dutch denying it, they fell from words to blows, and the Dutch shooting first at the English, the English man of war sunk one of their ships, and all their men were lost. English and Dutch quarrel.

Others relate that the quarrel began upon the English man of war requiring the Dutchmen to strike sail to him, according to the usage; and they refusing it, he sunk one of them.

Of the dispersing of Dungan's forces by colonel Reynolds, and his recovery of some castles, and joining with colonel Zanchey. Ireland.

That Fitz-Patrick stormed Castle-Jorne, and took thirty of the parliament's soldiers, and engaged colonel Hewson's

troop, took twenty-five, and killed twenty-seven of them; that the Irish are numerous and desperate; that two congregational churches were gathered in Dublin.

Bills. 22. Debate upon the bills for a new representative, and on a bill for propagation of the gospel; and ordered that they be considered *de die in diem* till ended.

Letters of forces shipped from Chester against the Isle of Man being three thousand men, and between thirty and forty sail.

Mr. John Sayer condemned by a court-martial at Chester to be hanged for treason, but upon his penitence was reprieved.

That colonel Venables rose from the siege of Dundalke in Cavan:

That the Irish attempted Bellinger, but were beaten off with the loss of forty of their men, and divers of their officers and soldiers wounded.

23. Letters of some endeavours for new levies in Scotland.

24. The thanksgiving-day observed solemnly.

Letters that the Scots are ready to embrace what the parliament of England shall require of them:

That divers ministers confer at Edinburgh, and are permitted:

That Argyle and Huntley are raising forces, yet have none in a body but a few straggling Highlanders:

Scotch discipline. That an English soldier for lying with a Scots woman, was, by sentence of the court-martial, together with the woman, whipped through Edinburgh; and a Scotch lass, that held the candle to them in the action, lighted them all the way, and was ducked with them:

That Augustine the moss-trooper took an English sutler and 60*l.* in money at Montrose:

That a trooper was executed for a robbery:

That Argyle sent a trumpet to Stirling to desire a treaty, and that the Scots generally desire to be governed by the English:

Commissioners for Scotland. That the lord chief justice St. John, sir Henry Vane, jun., major-general Lambert, major-general Deane, lieutenant-general Monk, colonel Fenwick, alderman Tichburne, and major Sallowey, were appointed commissioners for the affairs of Scotland; and being there, it was hoped they would soon settle the civil affairs there.

25. Letters that many of the Scotch prisoners and others at Shrewsbury were dead of a contagious fever:

That there was no certainty of the king of Scots' arrival in Holland; and that upon the rumour of it, the States propounded to pass a decree, that no foreign prince or nobleman should come into their dominions without their privity: Holland.

That Mynheer Scape and Mynheer Parre were nominated ambassadors for England. Ambassadors.

27. Letters that the king of Scots was arrived in France, and got to Paris, met by the way and conducted thither by the duke of Orleans, and visited by the queen his mother and divers of the great lords; that he told them his adventures after the battle of Worcester, to this effect:

That about six o'clock in the evening his army being in all likelihood beaten, he quitted Worcester with a party of horse, and marched towards Lancashire. being fearful of being pursued; and lest some of the Scots officers should deliver him up, he, with the lord Wilmot, quitted their horses, and sent the party of horse upon their march: The king's escape from Worcester.

That he and the lord Wilmot betook themselves the second day's march from Worcester into a tree, where they remained until night, and then marched on foot that night:

That the third day they took sanctuary in a wood, and, night approaching, marched on foot towards Lancashire, where they were received by a lady, who furnished them with clothes for a disguise, and cut off their hair very short.

Having reposed two or three days, the lady resolved to endeavour to ship them out of England; to which purpose she riding behind the king, and Wilmot as another servant by, they went to Bristol.

But finding a narrow and hot inquiry there, they went to London, where they stayed three weeks, and the king went up and down in London in a gentlewoman's habit; and at Westminster-hall he saw the States' arms and the Scots' colours:

That the lord Wilmot procured a merchant to hire a ship of forty tons to transport them, which cost them 120*l.*, but as soon as the lord Wilmot was entered the bark, and the king as his servant, the master of the vessel came to him, and told him that he knew the king, and in case it should be known he could expect no mercy; which saying troubled them.

But at length, what with money and what with promises, they prevailed, and so set sail for Havre-de-grace, and there landed; and from thence went to Rohan, where they were clothed, and wrote from thence to Paris.

That this arrival of the king stopped the French king from sending ambassadors for England:

That the king sent for the lords Inchequin, Taffe, and Ormond; that the lord Taffe had treated with the duke of Lorrain for his undertaking the business of Ireland:

That divers prisoners presented a petition to the lord general, reciting,

Prisoners petition.

That the law was the badge of the Norman bondage, and that prisons were sanctuaries to rich men prisoners, and tortures to the poorer sort, who were not able to fee lawyers and gaolers.

513 They pray the general, into whose hands the sword is put, to free them from oppression and slavery, and to restore the nation's fundamental laws and liberties, and to gain a new representative, and that the poor may have justice, and arrests and imprisonments may be taken away.

28. Order for Mr. Goodwyn and Dr. Owen to preach in Oxford, and for masters of arts to preach in their turns.

Letters that the marquis of Argyle studied how to make his peace with England, and the Monroes could raise but few men:

That the garrison at Ludlow were willingly disbanded, and expressed a great affection one to another:

Of the neglect of the minister at Taunton and other ministers to celebrate the thanksgiving-day.

Jersey taken.

30. Letters that colonel Hayne with his regiment and other forces, after being beaten back by a storm, at last anchored under Jersey, and resolved to attempt the island the next day, (though the sea was very rough,) because else their horses would be starved:

That the same night the storm ceased, and at three the next morning, by advice of the council of war, they boated their men, but could not land till about eleven at night, and then ran their boats on ground, and the soldiers leaping into the sea, most of them neck high, they got to shore,

Where they were desperately charged with a body of horse for about half an hour; after which the enemy fled, and the parliament's forces took eight pieces of ordnance, and

marched a mile into the island, finding no enemy to oppose them:

That the next morning they marched to several forts, and found in them guns and colours left; that parties brought in divers prisoners to them: the next day they drew on a hill in the sight of Elizabeth-castle, where the enemy quitted the fort under the hill:

They also quitted and surrendered another fort, and went to Elizabeth-castle; that there they had fourteen guns; that colonel Heyne sat down before Argyle-castle, and in taking this island lost but three or four men, and about twenty-five wounded:

That sir George Carteret, the governor, had four thousand men.

31. Letters that the marquis of Argyle sent a trumpet to lieutenant-general Monk, desiring that some persons well affected to the good of both kingdoms might meet and treat about settlement, and to prevent the shedding of more blood. Argyle. Monk.

The lieutenant-general answered, that he would not treat without order of parliament:

That the meeting of the ministers at Edinburgh was dissolved without doing any thing:

That captain Fannes, the governor of Anderwick, was dead:

That the forces sent against the Isle of Man were under sail with a fair wind.

November 1651.

1. Letters that sir Thomas Fetherston was executed at Chester according to the sentence of the court-martial, and used only a few prayers out of the Common-Prayer Book.

Letters that the parliament's forces killed one hundred tories in Ireland, took fifty, and five hundred arms.

3. Letters that all the parliament's forces, horse and foot, were landed in the Isle of Man; that the Highlanders sent their boats to bring them on shore, and did secure Bartlet the great pirate, and divers other; that the countess of Derby was retired to Peele-castle: Isle of Man.

That the parliament's forces sent to Jersey, after much conflicting with seas and winds, and other difficulties, and a short dispute with the enemy, landed about eleven o'clock at night: Jersey.

That the enemy, after a hot charge with their horse, fled, and forsook divers small forts:

That the next day they took the tower of St. Andrew's with fourteen guns in it, which was a refuge to their ships; that sir George Carteret, the governor, retreated to Elizabeth-castle, which general Blake had blocked up.

The parliament ordered, that the ministers of London and Westminster do on the fifth of November next, in their several congregations, give thanks to God for the gaining of Jersey island:

That the governor of Bas island in Scotland was summoned to deliver up the island to the parliament of England, or else that his lady and his two brothers in the town should be sent up to the parliament; and that the lady wrote to her husband to surrender it.

4. The parliament passed the list of sheriffs for the several counties of England and Wales.

A list passed of ships for the next year's guard, with instructions to the council of state for disposing of them.

Worcester. Letters that the king of Scots, for two days after the defeat at Worcester, stayed in woods near the place, and trees; and that some of Cromwell's soldiers looked into those woods, but found him not:

That he cut off his hair, and wore a red periwig, and was two or three days in Cromwell's army, as a boy or servant to a gentleman; that he went to sea in a mariner's habit, and landed at Diepe, and had not money to carry them to Paris.

Ireland. Letters that a party of the parliament's army stormed Mulick-castle in Ireland, killed thirty-four of their men, and took one hundred and forty prisoners, but lost eighty men. That colonel Russel, commander of the forces before Galloway, had made strong works there, which those from the town attempted to storm, but were beaten off with loss.

That Limerick was surrendered to the parliament: all the garrison had quarter for their lives, only the town was plundered, and the army drawn off to besiege Galloway. That Shurlock the great tory was slain.

5. The gunpowder-treason day was solemnly observed.

Scotland. 7. Letters that the marquis of Argyle had summoned a parliament in Scotland:

That divers gentlemen in Scotland had a meeting to consider of some propositions to be presented to the commissioners of the parliament of England in order to their submission to them.

Of recruits come from England to Scotland, and of some Scots taken that fled away from the battle of Worcester:

That the lieutenant-general published a proclamation in Scotland, forbidding the raising of the English coin to an higher rate than it was current in England:

That there are great divisions among the clergy in Scotland.

8. Letters that the whole Isle of Man, with all the forts and castles in it, were surrendered to the parliament's forces:

That the parliament's forces in Jersey had besieged Eliza- 514
beth-castle, which was very strong, situate upon a rock in the sea.

10. Letters of the particulars of the taking of the Isle of Man, the summons sent to the countess of Derby, and her soldiers deserting of her, and the articles of rendition of it to the parliament without a shot or blow struck: Isle of Man.

That they had there great store of arms and ammunition and ordnance.

11. The parliament spent several days in debate of the business for a new representative.

They approved the articles for the Isle of Man, and ordered a letter of thanks to colonel Duckenfield and colonel Birch for their good service in that action, and gave the messenger that brought the news 100*l.*, and referred it to the council of state to consider of preserving that island for the benefit of the parliament.

James Hinde, the great highwayman, was examined before the council of state, and confessed his serving of the king in England, Scotland, and Ireland, and was sent to Newgate.

12. Letters that the lord Wareston and others sat pri- Scotland.
vately in a committee at Edinburgh, preparing proposals to be tendered to the parliament of England for their submission to them:

That they are contented to wave kingly government:

That no lord shall exceed in power a private person. That the tyrannical power of the clergy may be dissolved.

14. Letters that the lord Argyle had called a parliament; and that Mr. Andrew Cant, a minister, said in his pulpit, that God was bound to own that parliament; that all other parliaments were called by man, but this was brought about by his own hand:

That the lord Belcarris levying forces in the north of Scotland, his officers would not allow men and horses sent in, though they were very good, but would find fault with them, and demanded 20*l.* for every one, and they would find men and horses for 20*l.* apiece themselves.

Whereupon the country rose upon them, killed some of them, and made the rest run away.

A soldier shot to death by sentence of a court-martial for striking a sergeant who was correcting him for a misdemeanour:

That eight hundred recruits were landed in Scotland, and more expected:

That the lieutenant-general sent out a strong party under colonel Overton; that the greatest part of the Gordons had laid down their arms; and most of the gentry were willing to comply with the parliament of England, only the ministers endeavoured to keep up the war.

15. Letters that the marquis of Huntley sent to the governor of Leith for a treaty, as Argyle had done, the country forsaking them and inclining to submit to England.

Jersey. That Mount Orgel in Jersey was surrendered to the parliament's forces, and in it twenty brass and iron guns and twenty barrels of powder; and that admiral Blake was in a treaty for Elizabeth-castle; that a master of a ship coming by, saw boats passing up and down between the ships and the castle with flags of truce, and many guns fired.

Votes for dissolution. The parliament voted, that it was a convenient time to declare a certain time for the continuance of this parliament beyond which it should not sit.

17. Letters that the gentlemen of Fife and other counties met and prepared letters and commissions to be sent into every county for authorizing commissioners to attend the coming of the commissioners from England to make proposals to them for settling the peace of the kingdom.

18. The parliament voted,

That the time for continuance of this parliament, beyond

which they resolve not to sit, shall be the third day of November, 1654;

And that such Scots prisoners who have been disposed of by the parliament or council of state, and any officers of the army, if they run away, and go into Scotland without license, shall suffer death, and be proceeded against by martial law.

Letters from colonel Hayne from Jersey, of his proceedings there with the summons, answers, and conditions of the surrender of Mount Orgeil-castle: Jersey.

That they had in the castle eighteen pieces of ordnance, four barrels of powder, match and bullet proportionable, one thousand arms, two months' provisions for seventy men.

The parliament confirmed the articles, and voted thanks to general Blake and colonel Hayne for their good service.

19. Letters that at the surrender of Limerick the bishop, the mayor, and the deputy-governor were hanged; the governor was condemned, but reprieved to be sent to the parliament: Ireland.

That the bishop and mayor were hanged for breach of the articles, in disguising many friars, priests, and bloody rogues, whereby they escaped contrary to the articles.

21. Letters from lieutenant-general Monk, giving thanks to God for the good news of the rendition of Orgeil-castle: Monk.

That he appointed some gentlemen to meet with the marquis of Argyle to treat with him according to his desires; that the country are expecting the coming of the parliament's commissioners from England, to settle the civil affairs of Scotland.

The protestation of twenty-eight ministers given in to the provincial assembly at Aberdeen; which the assembly condemned as prejudicial to the privileges of the kirk, whose proceedings they justify. Kirk.

22. Letters that the marquis of Huntley was come to live privately at his own house upon a pass sent to him; that one of his proposals was, that the lieutenant-general should put him in possession of certain lands which were kept from him by his cousin the marquis of Argyle: Huntley.

That the earl of Calandar and others of quality were come in:

That some gentlemen in Scotland have done great service for the parliament of England; at which the kirk are much

enraged, and call those gentlemen *malignants,* and inveigh against them and against the parliament's forces:

That the Scots rose against captain Augustin their countryman, killed some of his men, and drove away the rest:

That the lord Forbes and others were come in to the parliament of England, and the country generally desired to be under the protection of the English commander-in-chief in that kingdom.

Massey. 24. Major-general Massey and others were brought up prisoners to London. Massey endeavoured to escape by the way as he was brought up: having a good horse to ride on, he set spurs to his horse, thinking to ride away from his convoy, but the soldiers overtook him and brought him back.

Letters that the enemy in Cornet-castle in Guernsey were
515 besieged, and very high; but the inhabitants of Guernsey island were generally the parliament's friends:

Jersey. That colonel Hayne shot with his great guns against Elizabeth-castle, and did very great execution; and sir George Carteret had much ado to appease the mutiny of his soldiers:

That major-general Stirling was come in to the protection of the parliament:

That Argyle and Huntley were to meet with some persons appointed by the lieutenant-general to treat with them about their submission to the parliament.

Council of state. 25. The parliament ordered the new council of state to be constituted for the year ensuing; that twenty of the last year's council should be continued, and twenty-one new ones joined to them.

The parliament passed further instructions to the council of state.

The power of the admiralty was placed in the council of state.

They ordered, that the council of state take care that no meetings should be in Scotland under any pretence of consulting touching matters of government.

Order, that no chairman shall continue in the chair of any committee above a year, and this to extend to the president of the council of state.

Several votes touching compositions of delinquents in Durham.

Ireland. Letters that major-general Dungan with six hundred horse

attempted Ross in Ireland, and possessed the town, and took colonel Markham, and killed twelve sick men in their beds, and took thirteen prisoners, and plundered the town, although Irish: upon the coming of forces from Waterford they deserted the town:

That Zanchey and others fell upon them, killed one hundred of them, and took fifty of them prisoners:

That four or five hundred of Limerick were dead of the plague:

That the lord deputy had the castle of Clare surrendered to him.

26. Letters that the lord Belcarris had disbanded his forces in Scotland, and was come to his own house to live privately there, and submitted to the parliament of England; that some of the isles of Orkney were upon submission to the commonwealth of England.

28. Letters of the particular passages of the siege of Limerick, and the rendition of it after fifteen months' siege; that it was a very strong town; the grafts, counterscarfs, and bulwarks without the walls, the flanking towers upon them, and the rampiers round the Irish town, very strong and regular: an incredible quantity of arms and ammunition were delivered in there. Limerick surrendered.

29. The parliament approved the articles of Limerick, gave 100*l.* to the messenger that brought the news of the surrender of it, and ordered that the next Lord's day thanks should be given to God for it.

An act passed appointing Dr. Clark, Dr. Exton, and Dr. Stevens to be judges of the admiralty.

Letters that the Scotch parliament met in the Highlands, (where were present only the lord chancellor, and two or three lords, and a few burgesses, who could not agree,) but rose without doing any thing: Scotland.

That the lord chancellor and other lords of Scotland were come in to lieutenant-general Monk; that several recruits were come from England to the army in Scotland.

December 1651.

1. Letters that the parliament's army in Ireland were settling of their winter quarters, and had no enemy to encounter with, but a few tories and straggling robbers:

That the lord deputy was gone to Galloway to summon that city:

That in Limerick there died forty and fifty a day of the plague.

2. Letters from the lord deputy to the parliament and to the council of state of the particulars of the surrender of Limerick, and an account of the great guns, in all thirty-four, and the arms and ammunition taken there, with a copy of the articles.

Scotland. 3. Letters that lieutenant-general Monk intended to have prevented the meeting of the parliament in the Highlands of Scotland, but could not by reason of the excessive quantity of rain which fell at that time.

4. Letters that captain Pen had taken some French vessels prize; and that captain Cox took a French ship with thirty-nine guns, which made stout resistance, and one of the parliament's seamen lost both his legs with one shot of a cannon:

That two of prince Rupert's ships were sunk, and himself hardly escaped drowning at Tercera island:

That captain Bartlet, the notable pirate of Jersey, desired to be received into favour, and to do some act to merit it from the parliament:

That captain Christian, a notable seaman in king James's time, was released from being a prisoner in Peele-castle, in the Isle of Man, where he had been long detained, and ill used by the earl of Derby:

That the whole revenue of the Isle of Man was but 1500*l.* per annum; that the countess of Derby was allowed 200*l.* in plate to bear her charges into England:

That three of prince Rupert's ships were cast away near to Tercera island with a great tempest, one of them, the Swallow, which carried fifty-four brass guns, sprung a leak about the keel, and was suddenly sunk, and three hundred and forty persons in her drowned; the prince, the master, the boatswain, and three more in her, were only saved.

5. Letters that divers Scotch lords came in, and submitted to the parliament of England:

Jersey. That the third shot at Elizabeth-castle in Jersey fell upon the old church there, killed and wounded thirty persons, and endangered the governor, sir George Carteret, and his lady, and the chief of the island; that this made so great an impression on the lady Carteret and the other ladies, and some

few men who were afraid to be taken, that the next night they embarked for France:

That this shot spoiled great store of cider and other victuals; that several of their men made an escape, and some being taken, were forthwith tried and executed.

6. Letters that major-general Lambert and major-general Deane were come to Edinburgh.

8. Letters that many of the parliament's soldiers in Ireland were sick, and wanted accommodations; that the country groaned much at the burden of quartering, but the lord deputy was very tender to them.

Letters that the lord deputy went from Limerick to assist the lieutenant-general at the siege of Carrick Houlta; but meeting with the lieutenant-general at Inch-castle, after conference together, they both returned to Limerick: Ireland. 516

That the lord deputy having taken cold in his journey, the weather being very tempestuous, and having no accommodations, he fell sick; and Nov. 17 took physic, the next day was let blood, but grew worse and worse every day after, till Nov. 26, and then died: Ireton dies.

That the commissioners appointed the lieutenant-general Ludlow to command the forces in Ireland till the pleasure of the parliament should be known, or the lord lieutenant give further order; that his body was to be carried over into England.

This gentleman, colonel Ireton, was a person very active, industrious, and stiff in his ways and purposes; he was of good abilities for counsel as well as action; and made much use of his pen; and was very forward to reform the proceedings in law, wherein his having been bred a lawyer was an help to him.

He was stout in the field, and wary and prudent in his counsel, and exceedingly forward as to the business of a commonwealth; he married Cromwell's daughter, who had a great opinion of him; and no man could prevail so much nor order him so far as Ireton could.

His death struck a great sadness into Cromwell; and indeed it was a great loss to him of so able and active, so faithful and so near a relation and officer under him.

Letters that Clare-castle and Carrick Calta-castle were sur-

rendered to lieutenant-general Ludlow, and Maso-castle to sir Charles Coot:

That two and twenty men were excepted from the benefit of the articles for the surrender of Limerick, of whom seven were executed; that Hugh O Neal, the governor, was pardoned for life.

9. Upon the news of the death of the late lord deputy of Ireland, colonel Ireton, the parliament (as a testimony of their affection for his many eminent services) ordered a bill to be brought in for settling 2000*l.* per annum upon his wife and children, of the lands of the duke of Bucks, and his corpse to be brought to London to be honourably buried.

A list of thirty-four strong holds and castles in Ireland taken in by the parliament's forces the last summer.

A copy sent to the parliament of the earl of Clanrickard's declaration or summons for an assembly of the rebels.

Preaching. Letters that two troops of colonel Whaley's regiment, quartered at Nottingham, had meetings twice a week, where their officers and some of their soldiers did preach and pray; for which they were hated and cursed by the presbyterians and their preachers, who say they are the greatest plague that ever did befall that town:

That the presbyterians got the Scots prisoners there to be released, and sent them home with store of money and good clothes; but they will give no countenance nor relief to any of the parliament's soldiers.

Cromwell. 10. Upon the defeat at Worcester, Cromwell desired a meeting with divers members of parliament and some chief officers of the army at the speaker's house; and a great Conference. many being there, he proposed to them, that now the old king being dead, and his son being defeated, he held it necessary to come to a settlement of the nation:

And in order thereunto, he had requested this meeting, that they together might consider and advise what was fit to be done, and to be presented to the parliament:

Speaker. My lord, this company were very ready to attend your excellency, and the business you are pleased to propound to us is very necessary to be considered. God hath given marvellous success to our forces under your command, and if we do not improve these mercies to some settlement, such as may be to God's honour

and the good of this commonwealth, we shall be very much blameworthy.

Harrison. I think that which my lord general hath propounded, is to advise as to a settlement both of our civil and spiritual liberties, and so that the mercies which the Lord hath given in to us may not be cast away: how this may be done is the great question.

Whitelocke. It is a great question indeed, and not suddenly to be resolved, yet it were pity that a meeting of so many able and worthy persons as I see here should be fruitless.

I should humbly offer, in the first place, whether it be not requisite to be understood in what way this settlement is desired, whether of an absolute republic, or with any mixture of monarchy.

Cromwell. My lord commissioner Whitelocke hath put us upon the right point; and indeed it is my meaning that we should consider whether a republic or a mixed monarchical government will be best to be settled; and if any thing monarchical, then in whom that power shall be placed.

Sir Thomas Widdrington. I think a mixed monarchical government will be most suitable to the laws and people of this nation; and if any monarchical, I suppose we shall hold it most just to place that power in one of the sons of the late king.

Colonel Fleetwood. I think that the question, whether an absolute republic or a mixed monarchy be best to be settled in this nation, will not be very easy to be determined.

Lord chief justice St.John. It will be found that the government of this nation, without something of monarchical power, will be very difficult to be so settled as not to shake the foundation of our laws and the liberties of the people.

Speaker. It will breed a strange confusion to settle a government of this nation without something of monarchy.

Colonel Desborough. I beseech you, my lord, why may not this as well as other nations be governed in the way of a republic?

Whitelocke. The laws of England are so interwoven with the power and practice of monarchy, that to settle a government without something of monarchy in it, would make so great an alteration in the proceedings of our law, that you have scarce time to rectify, nor can we well foresee, the inconveniences which will arise thereby.

Colonel Whaley. I do not well understand matters of law, but it seems to me the best way not to have any thing of monarchical power in the settlement of our government; and if we should resolve upon any, whom have we to pitch upon? The king's eldest son hath been in arms against us, and his second son likewise is our enemy.

Sir Thomas Widdrington. But the late king's third son, the duke of Gloucester, is still among us, and too young to have been in arms against us, or infected with the principles of our enemies.

Whitelocke. There may be a day given for the king's eldest son, or for the duke of York, his brother, to come in to the parliament, and upon such terms as shall be thought fit and agreeable both to our civil and spiritual liberties; a settlement may be made with them.

Cromwell. That will be a business of more than ordinary diffi-
517 culty; but really, I think, if it may be done with safety and preservation of our rights, both as Englishmen and as Christians, that a settlement of somewhat with monarchical power in it would be very effectual.

Much other discourse was by divers gentlemen then present upon several points, and too large to be here inserted; generally the soldiers were against any thing of monarchy, though every one of them was a monarch in his regiment or company.

The lawyers were generally for a mixed monarchical government, and many were for the duke of Gloucester to be made king; but Cromwell still put off that debate, and came off to some other point; and in conclusion, after a long debate, the company parted without coming to any result at all, only Cromwell discovered by this meeting the inclinations of the persons that spake, for which he fished, and made use of what he then discerned:

Petitions. 11. Several petitions from divers counties were directed to the general and his officers and army, acknowledging with thankfulness their great services, and setting forth the insupportable burdens upon the country; for the removal whereof they pray the general and his officers and army to be instrumental.

1. Burden is of tithes, at first by a cheat put upon us for advancement of popery, and maintaining superstitious and idle persons, whereby a third and fourth part of our estates is taken away from us, and the fruit of our labours by priests and impropriators.

And that in so cruel and tyrannical a manner, as in former times, before 2 Ed. VI, was never practised among Christians; and at present we are not able to get competent livelihood for our children and families, leaving them as slaves entailed to priests and impropriators, who, as cruel taskmasters, do torment us.

2. Burden is the managing and unlawful using of the laws of the land, through the number, pride, subtlety, and covetousness of law-

yers, attorneys, and clerks, whereby the poor countrymen find the cure worse than the malady.

3. Burden is the excise.

4. The great assesses upon the nation.

The petitioners humbly pray, that (as God hath not put the sword into your hand in vain) you will mediate for us to the parliament, that the oppressed people may be eased and settled in freedom, which they cannot be while tithes continue and covetousness executes the law.

12. Letters of provisions arrived in Scotland for the army; and of Huntley and the other lords coming in to the protection of the parliament of England upon capitulation and engagement of the lords and gentlemen to disband all their forces: Scotland.

That the English army have no opposition in Scotland, and that only four castles stand out against them in all Scotland.

13. Letters that the marquis of Argyle excused his not coming to meet the commissioners appointed by the lieutenant-general to treat with him, he being hindered by the stone; but he promised to come in person to the lieutenant-general:

That Ashfield's regiment was marched into Murray-land, which is the most fruitful country in Scotland, and (the common proverb is) hath fifteen days more of summer than any other part of the nation:

That three English soldiers straggling were killed near Aberdeen; and colonel Overton sent for the gentlemen thereabouts, and told them, that if they did not find out the murderers, he would fine the country; whereupon they apprehended three of the murderers, who were executed.

One Bull, who raised money from the country upon pretence of being a parliament captain, was pursued and taken by the country, and executed for it; the country also brought in two moss-troopers.

The parliament ordered that no beer or ale should be excisable but what was brewed to be sold again.

15. Letters that colonel Overton hearing of some incivility offered to Mr. Andrew Cant the minister, the colonel went over to him at his house, and told him, he was sorry that

any injury should be offered to him, who, he heard, was a friend to the parliament of England.

Cant replied, that he was a lying knave that told him so, for he neither regarded him nor his party.

A list was sent up of the considerable persons that came in to the parliament with the marquis of Huntley.

The admiralty of Amsterdam ordered, that all ships, of what nation soever, lying in the Texel and bound for England, be stayed till they hear out of England.

Dutch ambassadors. Mynheer Scaep, Catz, and Parre, extraordinary ambassadors from the States of the United Provinces, landed at Gravesend.

The Swedish ambassador, Mr. Spiering, was upon his voyage for England.

16. Order for a commission for the lord St. John, sir Henry Vane, junior, Fenwick, Salwey, Lambert, Deane, Monk, and Tichburne, to go commissioners into Scotland.

Order that the council of state take care for the reception of the ambassadors from the States.

The act read for the monthly assessment, and 30,000*l.* per mensem abated.

Petition of the justices of peace, and of the grand jury of Cheshire, read and referred to a committee; the like of the officers of the Cheshire brigade.

Petition of the masters and liverymen of the companies of London referred to the council of state.

Votes. Vote that no parties of soldiers shall march without a commissioned officer to conduct them, nor be quartered in any private houses, but in inns, &c.

Order that the power of committees shall be transferred to other persons not members of parliament, that the members may attend the house.

Letters that Scotland is like to come to settle quietly, if the clergy be kept from having a finger in the settlement; for that no nation that ever permitted the clergy (more or less) to intermeddle could ever continue long in peace, especially England and Scotland; for there is in the generality of that coat a rank mixture of pragmatical humour and spiritual pride, that besots them in most things.

Dutch ambassadors. 17. The Dutch ambassadors were brought to London by

the master of the ceremonies, in the States' coaches, and other lords' coaches to attend them; and they were received with much honour, and conducted to sir Abraham Williams's house in Westminster, provided by the parliament for them.

18. Letters that the hard duty of the soldiers in Jersey had caused much sickness among them, so that they brought 518
themselves to fourth night duty, both officers and soldiers, horse and foot.

That Elizabeth-castle held out obstinately, and sent many Jersey.
shot among the parliament soldiers, but had not killed one man; that one by a shot of a mortar-piece, being in the church in the castle, was blown out of the door, having the hair of his head and beard and his clothes singed, but his body had no harm.

That Jermyn and Granville were sent to Paris, to advise about selling of Jersey to the French.

19. Letters that the parliament forces marched up into the Highlands, and the lord Belcarris came in to them, and articles of capitulation were signed between him and colonel Overton and colonel Lilburn; and they became masters of Inverness, which was further than Julius Cæsar, or any invader before, ever went in Scotland:

That some of the marquis of Huntley's disbanded horse Scotland.
got together under captain Gordon, and took four of the parliament's dragoons and one foot soldier: they intended to murder them, but one of them escaping, they did not meddle with the rest:

But drawing them forth upon a hill, Gordon pulled out of his pocket a psalm-book, and made the four remaining prisoners to kneel down upon their knees, and swear to be true to the king, and never to take arms for the parliament, and so let them go.

20. Letters of a Dutch vessel laden with French wines, come into Dundee harbour, seized as a prize, according to the late act of parliament; that several English vessels were come seasonably thither with provisions.

An act passed for continuing the act formerly made touching the elections of officers and electors in London.

The States' ambassadors had their audience in parliament; Dutch ambassadors.
the house had rich hangings and chairs and footcloths for the ambassadors.

Between ten and eleven o'clock the house sent three of their members, the earl of Salisbury, sir John Danvers, and sir Henry Mildmay, to accompany the ambassadors from sir Abraham Williams's house, where they lodged, to the parliament.

About eleven o'clock the ambassadors came, accompanied with those members, and attended by the master of the ceremonies, with about thirty gentlemen, and thirty lackeys of their own retinue, to the inner court of wards, where they reposed a little time, and the parliament sent their sergeant to bring them into the house.

They came with all their company into the house, and when they came to the bar put off their hats; and then the speaker and all the members of the house stood up in their places uncovered; and when they came to the chairs, the speaker desired them to take their places.

Being sat down and covered, the speaker and the members at the same time sat down and were covered; and after a little pause one of the ambassadors made his oration to the house in Latin; and the speaker returned the usual answer, that he would acquaint the house with what the ambassador had said.

When the ambassadors were sat down, all the company (not members) did withdraw, and the doors of the house were shut; after the speech ended, and the speaker's answer, the ambassadors rose from their chairs, and put off their hats, and saluting the speaker and members, who also stood up in their places bare, and answered the salutes, the ambassadors went out of the house again, attended as before, to the inner court of wards, and from thence to their lodgings; between which and the parliament were placed a double row of pikes and musketeers, and a troop of horse drawn up in the Palace-yard.

22. Letters that sir James Stuart had gotten a commission from major-general Lambert to get himself to be chosen provost of Edinburgh.

Letters of many ships cast away in the late storms.

23. An act passed for raising of 90,000*l.* a month, for six months, for pay of the armies.

Order touching the reception of the public minister from the queen of Sweden.

Letters from Bristol, that upon notice of the ships coming into that road with the corpse of the late lord deputy Ireton, the mayor sent out a boat with a tilt covered with black, in which they brought the corpse unto the city, where a hearse of velvet was provided to put over the coffin. Ireton.

The mayor, aldermen, and council in their formalities, and the governor and his officers, with a multitude of the inhabitants, attended the body to the castle; and the great guns were fired from the castle and the fort.

That many of the chief rebels in Ireland have made offers to treat about their coming in to the parliament, and that Galloway hath done so.

25. That the house sat this day.

A letter of advice to the parliament in these words:

That if they would but grant an act for all the profit of the tithes in all counties in England and Wales to be gathered into a treasury, and the one half thereof may be paid to a competent number of godly ministers to preach the gospel in each county; Advice.

And all those drunken, malignant, scandalous, delinquent, ignorant, whoring, and profane ones, that go under the name of ministers, put to work for their livings;

That the gospel would be better propagated than now it is, and the Lord would be more glorified in the land, and this present government better established.

26. Letters that Elizabeth-castle was upon a treaty, but broken off again: that this castle is so seated in the sea, that they can relieve or send away at pleasure; and when they can keep it no longer, they can leave only the bare walls: Jersey.

That since the siege, they have made no sally out of the castle, though they took in with them four hundred foot and one hundred horse; that they have sent divers vessels with women and children and rich goods over to St. Malos, and are daily sending more, and cannot be prevented, by reason of the rocks, though the parliament's frigates lie there:

That six hours the tide floats round the castle, and six hours the sand is bare, when three prisoners stole away by boat, and came to the parliament's forces, and informed them that Carteret had sent his best horses to St. Malos, and the poorer horses he had knocked on the head, and had hanged a man for endeavouring to come from them.

That few of the inhabitants speak any English, and most of their drink is cider.

27. Letters of recruits come to Scotland from England.

519 Letters that the two major-generals were gone their progress, which they intended throughout Scotland, and commissioners were appointed to settle assessments for the English army:

Elizabeth-castle. That Elizabeth-castle was surrendered to the parliament upon articles; and in it seventeen brass pieces, thirty-six iron pieces, four hundred and fifty muskets, forty swords, one hundred bandaliers, sixty-four barrels of powder, match five thousand, great shot one thousand, musket shot one hundred weight, lead four ton, iron two ton:

Of victuals, sixty hogsheads of biscuits, six quarters of wheat, four quarters of barley, twenty quarters of malt, thirty-six bushels of pease, fifty sides of pork, sixty thousand of poorjohn, three hogsheads of French barley, four pipes of Spanish wine, ten hogsheads of French wine, four tun of beer, sixty quarters of salt, six hogsheads of beef, with great store of other provisions.

29. Letters that Cornet-castle in Guernsey island was surrendered to the parliament upon articles: that in Elizabeth-castle were French, Germans, Danes, Switzers, Scotch, Dutch, Irish, English, and the islanders, three hundred and forty; that it is the strongest castle in the parliament's possession.

Lambert. 30. Letters that some officers of the army, by commission from major-general Lambert, did hear and determine controversies between party and party; wherewith the people were much satisfied for the quick despatch they received with full hearing:

That a soldier for whoredom was sentenced by a court martial to be ducked thrice at high water, and to be whipped, and turned out of the town; the woman had the like sentence:

That captain Henry Green, by letters of mark from the parliament, surprised a ship bound for St. Malos, laden with merchandise of the growth of France, and upon Frenchmen's account, and with it steered for Guernsey to secure his prize, which he went on board in great storms:

That a man of war of the States of Holland meeting with captain Green boarded his prize, and sent all the Guernsey

men in her on drift in the boat, where they must have perished, had not another English ship by accident met them and taken them up:

That the Holland man of war did cruelly beat captain Green and his company, and said he would throw them all overboard, as he had commission to do all English ships sent out with letters of mark; and what is since become of captain Green and the rest of the English with him is not yet known:

The parliament voted, that it be referred to persons out of the house to take into consideration what inconveniences there are in the law, and how the mischiefs that grow from the delays, the chargeableness, and the irregularities in the proceedings of law may be prevented, and the speediest way to reform the same, and to present their opinions to such committee as the parliament shall appoint: Law.

That a committee be appointed to consider and present to the house the names of fit persons to be employed in this work; and to receive from them such things as shall be prepared by them in pursuance of the former vote.

Several petitions of merchants of London and of other parts read, and referred to the council of state.

31. A petition presented to the parliament from colonel Philip Carteret and the rest of the late officers of mount Ogyle-castle in the isle of Jersey:

That according to the articles, upon surrender thereof, an act of oblivion may be passed for the petitioners, which the parliament ordered accordingly, and approved of the said articles.

The house sat constantly all the time of Christmas.

January 1651.

1. Letters that sir George Ascue had reduced the island of Barbadoes to the obedience of the parliament of England, but the particulars thereof were not yet come. Barbadoes.

A copy of an act of the lord Willoughby and the assembly in Barbadoes for sequestering divers delinquents' estates there was sent over to the council of state.

Letters that sixty sail of Hollanders lay at anchor before South-Sea-castle, and might have landed men there; and that the works about Portsmouth were in much decay:

An account of recruits gone for Ireland.

Scotland. 3. Letters that the marquis of Argyle had sent for another pass to come in to major-general Lambert, who had summoned Dunbarton-castle, and the governor answering him with delays, he caused his estate to be sequestered; that colonel Lilburn's and colonel Overton's men took a ship in a harbour of the north:

That the major-generals were returned from the west, and had given great contentment in settling business there, and taking off free quarter.

The parliament approved the articles of rendition of Cornet-castle in Guernsey, and of Elizabeth-castle in Jersey, and ordered sir Philip Carteret's lands to be restored to him accordingly:

Jersey. That the commissioners for compounding do send over some to sequester the estates of those in Jersey which are to be sequestered, and that 1000*l.* which shall be raised thereof shall be given to those who were banished out of Jersey.

5. Letters that Dunbarton-castle was surrendered upon articles to major-general Lambert.

6. Referred to the council of state to treat with the Dutch ambassadors upon a paper delivered in by them.

Ayscham. Upon a report of a paper given in to the council of state by the Spanish ambassador, the parliament referred it back to the council, and enjoined them to insist with the ambassador for justice for the murder of Mr. Ayscham, who was agent there for the parliament.

An act passed appointing a committee for the army and treasurers at war.

8. Letters advising the parliament to pass an act of oblivion, and take away tithes, &c.

9. Letters that colonel Venables attempted the reducing of Ballinacargy, and beat down the castle about the enemy's ears, but for want of powder and provisions he was forced to draw off:

Of the Straits' fleet going off from Pendennis:

That captain Chapman maintained a gallant fight with three ships from eleven at noon till night, and sunk one of them, and was much torn in the fight, and lost three men, and ten wounded.

The parliament debated again the business of regulating the law and proceedings therein.

The courts of king's bench and chancery were by order of the parliament removed to one side of Westminster-hall.

10. That Mr. Eliot was committed to Newgate.

Several Dutch vessels seized upon by virtue of the late act of parliament, upon report of the state of the case of the East-land merchants, were ordered to be discharged.

12. Letters of a great meeting of the ministers and laymen at Edinburgh, and their debates very high, especially of the kirkmen:

That a Dutch ship was taken in the Firth, laden with commodities not of her own growth, contrary to the late act, and made prize:

That a moss-trooper was sentenced by the court-martial to be whipped with his comrade, for entering a countryman's house by violence; and a soldier to be tied to the gallows and whipped for stealing a sheep, though he restored it again.

Major-general Lambert published a proclamation against a great abuse of differing values of coins:

Of two prizes brought into Yarmouth rescued from the pirates, who much infested the north coast:

Of four vessels with French wine taken:

That prince Rupert's admiral ship was sunk, and another wrecked, and the prince and his brother only saved; that admiral Pen sent some ships after the rest of them.

Report of Odwear's coming in with three thousand tories in Ireland to submit to the parliament.

13. Order for an act to sell all the rest of the fee-farm rents.

Votes for payment of such as lent under 10*l.* upon public faith without doubling.

Referred to a council of state to confer with the lord general about nominating of a fit person to be commander-in-chief for Ireland, and to report their opinions to the house.

Debate about the next summer's fleet to be one hundred and twenty sail.

14. Letters that captain Augustine, the great robber in Scotland. Scotland, upon disbanding of the marquis of Huntley's forces, went into the Orcades, and there took ship for Norway.

Order not to fortify Inverness, because of the great charge, and the poverty of the town:

That one hundred Egyptians were rambling in the Highlands, and cheating the country:

That the regiments in Scotland were very full, above one thousand in a regiment:

That one thousand Highlanders appeared at the summons of the marquis of Argyle, (as was usual,) that out of them he might choose thirty to attend him to the major-general:

That major-general Lambert and Deane went towards Aberdeen, and were entertained by the way with volleys of great shot and solemnity.

15. Letters that when the wind is westerly few ships touch at Scilly; that a Hamburgher ship was wrecked there, and a coffin taken up out of the sea which was in her, having the body of the young duke of Holstein in it:

Of a great earthquake in Scilly islands.

16. Letters that sir George Carteret and his company had but coarse entertainment at St. Malos, only himself and nine more suffered to come into that town, where he stayed a short time, and then went to Paris to the king.

A thanksgiving-day was kept in Jersey for the good success in reducing that island, and the great guns were fired.

17. That the major-general courted the presbyterians at Dundee; that they with the lieutenant-general were settling the affairs of the country, and to put on the assessment, and to take off free quarter:

That the commissioners for Scotland were with their retinue at Berwick, where they intended to stay three or four days:

That the lord mayor of York feasted them:

Of recruits and provisions for Ireland preparing.

Haselrigge. Debate of Mr. Primate's petition against sir Arthur Haselrigge, and the commissioners for compounding, and about a book against them, referred to a committee; but the proceedings of the commissioners were approved by the house, and Primate was fined 3000*l.* to the commonwealth, 2000*l.* to sir Arthur Haselrigge for his damages, and 2000*l.* to four of the commissioners for compounding.

The like was voted against lieutenant-colonel Lilburn of a fine of 7000*l.*, and that he should be banished out of England, Scotland, and Ireland, and the petition and book to be burned by the common hangman.

19. Letters that the kirkmen in Scotland speak little against the war or for peace, but rather foment the war: Scotland.

That the laird of Drum being summoned to come before the kirkmen, he summoned them to appear before colonel Overton, alleging that he was under the protection of the parliament of England, and could not acknowledge any other jurisdiction or judicatory in Scotland;

But if, as private Christians, they required him to purge himself of not being a papist, he would do it:

Of great pride and insolency of the presbyteries in Scotland:

That the laird of Drum wrote a letter of thanks to lieutenant-general Monk for relieving those who were oppressed in their consciences by the presbyteries; and acquaints him with the proceeding of the presbytery of Aberdeen against him, and his appeal from them:

That lieutenant-general Monk ordered that no oaths should be imposed by any of the kirk officers upon any person without order from the state of England, nor any covenant; and if they do, he will deal with them as enemies: Monk.

And that who shall tender or take any oath or covenant so imposed, and against conscience, without leave of the commonwealth of England, shall be taken as enemies; and the provost and bailies of Aberdeen were to proclaim this:

And all civil officers were commanded by the lieutenant-general not to seize upon, meddle with, or any ways molest, the persons or estates of any excommunicated person, or any ways to discharge any other persons whatsoever; to desist from dealing or trading with the said excommunicated persons, without order from the commonwealth of England or their commissioners.

20. Primate received his sentence from the parliament at the bar of the house upon his knees; and lieutenant-colonel Lilburn being brought to the bar refused to kneel: the house gave him but twenty days to depart the kingdom. Lilburn.

Debate upon, and several branches passed, of the act of oblivion.

Vote, that Mr. Hale, Mr. Steel, Mr. Cocke, Mr. Manby, Mr. Sadler, colonel Blunt, sir Henry Blunt, Mr. Berners, major-general Desborough, Mr. Moyer, colonel Tomlinson, Mr. Fountaine, alderman Fowke, Mr. H. Peters, major Packer, Committee of the law.

sir William Roberts, Mr. Meltwold, Mr. Mansell, Mr. Rushworth, Mr. Sparrow, and sir Anthony Ashley Cooper, be the committee to take into consideration what inconveniences
521 there are in the law; how the mischiefs which grow from delays, the chargeableness, and irregularites in the proceedings in the law may be prevented, and the speediest way to prevent the same.

And to present their opinions to the committee of parliament appointed for that purpose, and they or any seven of them had power to send for any persons to confer with them in this business, and for records.

An act for compounding with delinquents and sequestrations, and for the committee of Haberdashers'-hall.

21. Letters of the ceasing of the plague in Ireland:

That three hundred of the enemy's horse were taken since the English came to their winter quarters:

That the commanders of such as are yet out, make overtures of laying down their arms:

That many of the rebels are in treaty to submit to the parliament:

That Galloway offers to treat.

Court-martial. 23. By a court-martial a soldier that killed another, being first struck by him, and highly provoked, was according to Numb. xxxv. 22, adjudged only to be imprisoned for two months, and then to pay 20*l.* to the wife of him that was killed.

Scotland. 24. Letters that the synod of Aberdeen had excommunicated the laird of Drum:

That the marquis of Argyle had seized upon a house of Huntley's, and put a garrison into it:

That the lieutenant-general went to meet the parliament's commissioners come from England to Scotland.

26. Letters that the captain of the Success frigate, and ten more of his company, were cast away at Leith:

That the commissioners for Scotland sent forth their summons for fit persons to come to them to present their desires:

That the lord Wareston chiefly, and others, were the grand sticklers for the kirk party.

A letter intended to be sent from the kirk to the lord general, setting forth the iniquity of the English invasion:

then they inveigh against the errors and preaching of troopers;

Against the incorporating of Scotland with England, saying, it will draw on a subornation of the church to the state in the things of Christ;

Against the gathering of private churches, and toleration, as they call it, and introducing magistrates of contrary principles to the church;

Against a civil headship over the religious constitutions.

27. Vote that no fee, perquisite, or reward shall be taken by any of the judges of Westminster-hall or their servants, but such salary as shall be allowed them by the state. Votes.

That all the public revenue shall be brought into one receipt.

Instructions passed for ordering and disposing all the forces, and the charge of them, not exceeding the establishment of the army.

A paper delivered in by the Spanish ambassador to the council of state, and by them reported to the house, read, and instructions given upon it.

Letters of credence from the queen of Sweden by Peter Spiering Silvercroone to the parliament, read, and referred to the council. Sweden.

Letters of two ships of Barnestaple taken by pirates.

28. A declaration published, and vindication of the poor oppressed commons of Scotland, in relation to their present sad and sorrowful condition, wherein they were brought by that perfidious self-seeking party who did lately wind themselves up in the offices of power and trust in that estate and army; Declaration.

Wherein they submit to the parliament of England, and pray that they would put nothing upon them which may molest their weak consciences or imply perjury.

2. That they may be governed by the English, and no Scotchman employed in any office of power or trust, in church or state, who hath formerly betrayed his trust.

29. Letters of a vision seen at sea by the river Maze: Sea vision.

First about a man's height above the horizon, like a flat land, appeared very many footmen and horsemen out of the north north-east; after that, appeared a fleet of ships out of the north, and among them a great ship, which lost her top-

mast, and was made ready again, and her flag seemed of three colours, like the prince of Orange's flag:

That on the same height appeared a mighty fleet of several sorts, coming one against the other, and a thick smoke, like fighting:

That the smoke vanished, and the ships appeared again clear; after which the ships appeared as if they were sunk, and then clear again:

Then a mighty great ship seemed to sink at the head, and the after-part to stand on high, and another ship to sail by it: and in the north appeared a lion. The vision continued three hours, and the seamen were much afraid.

Lieutenant-colonel John Lilburn took his journey from London, and many friends went with him to the sea-side.

30. Letters of a ship wrecked near to Pendennis:

That the parliament's forces in Ulster met with a party of tories, killed and drowned one hundred and fifty of them:

Ireland. That the barony of Burren in Ireland, (which they say hath neither wood, water, nor earth enough to hang, drown, or bury a man,) refusing to pay contribution, was harassed by sir Charles Coot's forces:

That the commissioners of the parliament of England for the affairs of Scotland sat at Dalkeith for settling the business of that nation.

Committee of law. 31. The committee appointed to consider of the inconveniences and delays in the proceedings of law, met several times, and desired the judges in their several courts to return to them a list of the officers in their courts, and what fees they receive, and what work and employment they do for the same.

They entered upon several heads of inconveniences in the law, in relation to estates in tail, and copyhold estates, and that for the future they may be made liable to the payment of debts.

H. Peters. I was often advised with by some of this committee, and none of them was more active in this business than Mr. Hugh Peters the minister, who understood little of the law, but was very opinionative, and would frequently mention some proceedings of law in Holland, wherein he was altogether mistaken.

February 1651.

2. Letters of the proceedings of the parliament's commissioners at Dalkeith, and the trouble of the kirk party.

3. An act passed for executing the judgment of banishment against lieutenant-colonel Lilburn.

An act passed to make void all titles of honour, dignities, or precedencies given by the late king since 4 June, 1641. 522 Acts.

Referred to the committee for considering of things of greatest importance, to take care for ascertaining the debts on public faith.

Order for constant pay and supplies for the forces in Ireland.

Order for moneys for incident charges, to be disposed of by the committee for removing obstructions in the sale of forfeited lands.

4. One who undertook to cure the blind and deaf took money beforehand of divers people, and then ran away.

5. Letters that by the late great snows and rain in Ireland, the waters rose so high that it drowned and spoiled most of the corn and provisions, which the rebels had got into islands, so that they were in a starving condition:

That a party of colonel Venables' men surprised some of the rebels at their markets, took twenty horse, slew twenty men, and one hundred and twenty of them were drowned.

6. Letters that a petition was presented to the commissioners at Dalkeith, that Dundee might choose officers according to their ancient custom and rights: the commissioners ordered them to bring in their charter by a day. Scotland.

A copy of the letter sent to major-general Lambert, and intended for the lord general Cromwell from the lord Wareston, and other presbyterians, setting forth,

That they made their addresses to him, because he had charge of those forces that had unjustly invaded that land, and had shed the blood of many of the saints of Scotland. But they confess themselves justly punished for their late treaty with the king, but this doth no way justify the instruments.

They charge the army with divers errors, countenancing of deposed ministers to preach, silencing of ministers that preach of state proceedings, and suffering officers to preach, scandalizing the ministers, subordinating the church to the state in things of Christ, which will tolerate the gathering of churches in Scotland as it is in Eng-

land; abridging the assembly of the kirk, and imposing magistrates principled against the government of the kirk.

They offer compliance in any thing not against their conscience and the liberty of the kirk, and entreat the major-general to employ his endeavours, with the rest of the commissioners of England, for the obtaining of their desires.

That the city of Edinburgh had a commission to choose new officers, and such as should be chosen were to take an oath of fidelity to the commonwealth of England.

Letters that the grandees of the rebels in Ireland, have often meetings to draw up propositions in order to a submission to the parliament of England, but cannot agree.

7. Letters that many of the commissioners of shires and boroughs in Scotland are chosen to attend the English commissioners at Dalkeith.

The committee for regulating the law, presented several results to the committee of parliament appointed to receive them.

9. Letters that the oath of fidelity to the commonwealth of England much troubled the new chosen burgesses of Edinburgh:

That there were great contests in their presbyteries, and contradictory orders by them, and appeals to the English commissioners.

Declaration. The English commissioners published another declaration, for equal execution of justice, and for the present appointed persons to administer justice, till the judicatories should be established, and forbid any power under the king, or any other than under the commonwealth of England.

Ireland. Letters that the army in Ireland was disposed into convenient quarters, to meet with the enemy if they came abroad; and colonel Reynolds to lie with a nimble party of three thousand horse and foot, to be ready upon any occasion.

A copy of the articles between the Irish and the duke of Lorrain sent to the parliament, whereby Lorrain was to have the lordship.

Spiering Silvercroon, agent from the queen of Sweden to the parliament, died in the Strand.

10. The act of oblivion passed, and some provisos to be added to it, debated.

Order for paying mariners, and for lessening the public charge.

Order for the lord general to send down all the officers belonging to the forces in Scotland, which was upon letters from the commissioners.

A declaration of the inhabitants of Jersey, of their fidelity to the parliament of England, with praise to God for his justice, and giving success to the parliament's forces, and beating out the tyrant Carteret. Jersey.

That three thousand subscribed this declaration, and took this engagement.

Of the opposition of the presbyters in Devonshire.

11. An account of the frigates on the western coast, and that a great fleet of Dutch men of war lay thereabouts; that the Dutch captains were rough against the English, and demanded restitution of some of their ships taken by the English. Dutch.

13. Letters that a small party of Highlanders murdered five of the parliament's soldiers in their beds near Inverness, and another party stole away some cattle: Scotland.

That the Scots ministers pray for their king and the prisoners in England:

That Argyle's country refused the warrants sent thither for contribution by the parliament's officers.

The English commissioners published a proclamation against entertaining any Scots in their house, without giving up their names to the governor of the place; and that no Scot have any arms.

14. Letters that the English commissioners in Ireland had settled the affairs there, and were returned to Dublin:

That colonel Hewson sent out a party, who killed a whole troop of tories, except two only: Hewson.

That captain Clark took two hundred ton of wheat and rye, carrying to relieve Galloway:

That Bellitan, a strong hold of the rebels, was stormed by colonel Zanchey and colonel Axtell, and taken, and four or five hundred of the rebels killed.

The parliament ordered their committee to call together the adventurers for Ireland, who met and chose a committee of their own, to make proposals to the parliament for settling that business with their consent.

From sir George Ascue's fleet, that he had taken eleven Sir George Ascue.

Dutch and one English ship at Barbadoes; and that sir George shot many pieces at their chief castle, and they shot at him and killed one man:

That he took two more Dutch ships, laden with provisions and horses, sugar, &c.

That he sent summons to the lord Willoughby, who answered, that he would keep that place for the king. That he
523 was informed the king was near London, and that all the country came in to him, as a Dutch ship related to him.

16. Letters that sir George Ascue came within half a musket-shot of the fort at Barbadoes; that the ships he took there were of great value:

That his voyage thither was ten weeks and two days, yet none of his men sick.

Barbadoes. The commissioners from the parliament in the fleet with sir George Ascue sent a declaration to the inhabitants of Barbadoes, to persuade them to submit to the parliament of England, and to desert the lord Willoughby and his party there; that this course they thought fit to take before they used any acts of hostility against them; and offers them so doing indemnity.

17. Debates in parliament upon the provisos to be added to the act of oblivion; and many of them passed.

A declaration of the commissioners for the assessments in Yorkshire, for equality in rates to all, upon a survey of the value of every township, and of the estate of every person in each town which is liable to the assessments.

Letters that divers commissioners from the several counties in Scotland came in to the English commissioners at Dalkeith, according to summons:

That a frigate of the parliament's came safe into Leith road, with 80,000*l.* for pay of the forces there; and another with forty Scots prisoners released:

Of many losses at sea by the storms:

Of one of the parliament's ships sunk within an hour after the men in her were landed.

Lambert. Major-general Lambert was appointed to go lord deputy for Ireland.

Declaration. A declaration of the English commissioners in Scotland, of the union of them with England in one commonwealth, con-

cerning forfeitures and confiscations of estates, according to several qualifications:

That for promoting of holiness and the power of godlines, all possible care should be used for publishing the gospel of Christ in all parts of this land, and maintenance to the faithful dispensers thereof, and care taken for removing of scandalous persons in the work of the ministry, and placing others fitly qualified with gifts for instructing the people in their stead; and encouragement be given from all authority to such as shall join in the service of God according to the usage of the church of Scotland, in their peaceable and inoffensive exercise of the same.

And others not satisfied with that form shall serve and worship God in other gospel way.

And that magistrates and officers fearing God may be set up, to be a terror to evildoers; and such as shall live peaceably, and yield obedience to the authority of the parliament of the commonwealth of England exercised in Scotland, are capable of and shall enjoy the respective benefits and favours held forth in the parliament's declaration.

And all merchants and tradesmen, and handicraftsmen, not having estates above 500*l.* sterling, and all other persons not having estates of above 200*l.*, not prisoners or soldiers, who shall live peaceably and yield obedience to the parliament of England,

Shall be freed from all forfeitures and confiscations for any thing formerly done by them in reference to the wars, and be received into the protection of the parliament, and enjoy the liberties and grants as shall be fit:

Except moss-troopers or others, who have murdered any soldiers contrary to the laws of war, or any English people contrary to the laws of Scotland.

21. Proceedings of the committee of adventurers for Ireland, who all assented to the propositions of the committee: one was for doubling their former adventures.

A share of lands reserved for the soldiers.

The committee for regulating the law passed some resolutions touching personal actions; as, that Committee of law.

If the defendant in a personal action, before pleading tender satisfaction to the plaintiff with costs of suit, and it appear afterwards at the trial to the jury, sufficient, and not accepted of, the plaintiff to lose his own and pay the other's costs in the suit.

That summons be the first process in all personal actions, with the true date when sued forth, and executed upon oath, and returnable within fifteen days after the service; the defendant to have a copy from the original under seal, given or left at his house, and the cause of the suit set down in the body of the writ; that upon default of appearing, a further process be granted to arrest the party, till he appear or give warrant.

And in case of non-appearance, the defendant's lands and goods to be distrained to a certain value, till he appear or give warrant.

Scotland. 23. Letters that the kirkists in Fife refused to let the summons of the English commissioners be read, but as a committee of war appointed two of their company to come to Dalkeith by virtue of old powers:

That the ministers speak loudly against the declarations of the parliament and of their commissioners:

That colonel Cooper with the parliament's fleet landed eight hundred men at Orkney, and colonel Overton arrived there, and possessed it for the parliament of England.

Commissioners of some counties in Scotland were dismissed by the English commissioners, having power only to treat, and not to conclude.

Other commissioners had a paper delivered to them,

1. To consent to be incorporated with the commonwealth of England:

2. To declare a submission to that government which should in the mean time be established:

3. That they be ready to present such matters as may conduce to the putting those particulars into practice.

To which particulars those commissioners gave their free consent in writing as they were desired.

24. The act of oblivion and general pardon, with the provisos passed.

Hanse towns. Letters of credence from the burgomasters and senators of Lubeck, Bremen, and Hamburgh, for themselves, and in the name of the rest of the hanse towns unto Lion of Aisema their resident, were read.

Order for an act to give 5*l.* to any who shall apprehend robbers or burglars.

Letters that a party of about eighty of the enemy came privately into the parliament's quarters about Galloway, and

took a prey of a hundred cows and two hundred sheep; but as they returned, a party of the parliament rescued the prey, killed sixty of the enemy, and took an ensign prisoner:

That the chief gunner of Galloway came out to the par- Ireland.
liament's forces, and informed them that there was a high mutiny in the town, and Preston durst not appear to quiet them:

That colonel Zanchey and colonel Axtel took the advan- 524
tage of the frost, and gained a pass over a bog to Fitz-Patrick's quarters, but he was marched away the day before; Zanchey and Axtel took his strong hold in the bog, and put all to the sword:

That about the fort was an Irish town which the rebels named *Dublin* for its strength and riches; it consisted of eight hundred cabins, which Zanchey and Axtel fired, and put five hundred to the sword, and in it found good plunder, silver, strong water, thirty thousand bushels of wheat, two hundred cows, and eighty horse:

That all parts of Scotland are within the power of the parliament of England, except some few places in Argyle's country and about the Highlands of no consequence, who sent for a pass to come to the English commissioners.

A petition was presented to the parliament, in the name Petition.
of divers well-affected in the northern counties, telling them,

That there remains yet to be done by them the taking away of tithes, and law, as it now stands, the most ancient badges of ecclesiastical and civil tyranny.

What else can be expected from such swarms of lawyers, attorneys, solicitors, and nourished with the bread of oppression by long and tedious suits?

What hope of justice, when the greatest stress of men's causes in all courts depends chiefly upon those men who are more sensible of the money, (which oft makes the case,) than of the justice of the cause, which they never or seldom take to heart?

A general and great grievance, also papal imposition of tithes, fitter for a Levitical or Romish priesthood, than for ministers of the New Testament, to whom it proves either a snare or scandal, hardening of people, and hindering the power and success of the ministers;

Eating out part of the sweet and benefit of other men's labours, secretly impoverishing and discouraging the endeavour of the husbandman.

They pray ease of these pressures.

That we may have justice given, not bought; courts of justice in all counties, so established and maintained at the public charge, that all matters of *meum* and *tuum* may be heard and determined free, yet by a written law.

Clerks of all courts and committees may do their duties without wicked delays, or taking any thing above their set pension; that justice every where may come down like a mighty stream, free for the poorest to resort unto, too strong for the richest to divert:

And that the hand of the labourer may be strengthened to his work, every man reaping what he sows, and not another:

Every one eating the fruit of his own vineyard with joy and gladness of heart, praising the Lord; and a more honourable way of maintenance ordered for the ministry: which easily might be effected.

Answer. The parliament told the petitioners that some of the particulars mentioned in their petition were already under the consideration of the house; and gave the petitioners thanks for their good affections.

Letters that colonel Venables went out with a party thirty miles into the enemy's country in Ireland, and brought away four hundred cows:

That Galloway was upon overtures of a treaty:

That the sheriffs in Scotland sent in their deputies to the English commissioners very slowly, who ordered, that they send in their deputies by a day; and sent for Argyle to come in to them.

28. Letters that the parliament's forces landed in Orkney were civilly entertained by the inhabitants:

Scotland. That the declaration of the commissioners of England, for nulling kingly power and prerogative courts of justice, was proclaimed at the market-cross of Dundee, by beat of drum and sound of trumpet; and the magistrates of the town attended all the time.

March 1651.

1. The act of general pardon and oblivion was published, with the exceptions and qualifications therein.

Letters that the meetings with the English commissioners at Dalkeith, by the deputies of the shires, were at an end:

That some of the deputies, especially from the boroughs, had two commissions, one signed to please the ministers,

that nothing be done prejudicial to the covenant; the other full and ample, to do all things conducible for the settling of the nation:

That several of the great ones are in much perplexity what to do, and press their tenants for a year's rent beforehand.

The English commissioners made a further declaration; that whereas the deputies of shires and boroughs have consented to the proposals made to them from the parliament of England;

The commissioners declare, that those shires and boroughs are taken into the special protection of the parliament of England; and all officers and soldiers and others are commanded not to injure them, but they are to have all favour and encouragement in the union with the commonwealth of England.

The deputy governor published a proclamation against butchers engrossing of provisions to sell again in the town of Leith.

2. An act passed for the better discovery of thieves; and that the respective sheriffs shall pay 10*l.* to every one that shall apprehend such thieves.

An offence of colonel Gill, in matter of doubling and reproaching the parliament, was confessed by him, and his offence pardoned.

Report from the committee of the credentials and oration of the agent from the hanse towns, and particular credentials from the town of Hamburgh to the same person; the house referred to the council of state to treat with the agent and report to the house. Hanse towns.

Report of the transactions of the council with the ambassador of the king of Spain.

3. The committee for regulating the law proceeded in that business, and had great debates, but little done in it.

4. The committee appointed by the council of state to treat with the agent of the hanse towns attended that business: the agent was a discreet sober person, and spake good Latin.

5. A petition to the committee for regulating the law for fines upon copyholds to be made certain, &c.

Letters that the deputies of the shires and boroughs to the parliament's commissioners come in very uncertain.

Holland. A placard of the States of the United Provinces, of their stopping ships going out of their harbours; and their intentions to set forth a strong fleet the next summer for their fishing.

6. The adventurers for Ireland made several propositions
525 to the committee of parliament, and assented to their proceedings, and sent in twopence in the pound for incident charges.

8. Advice touching the settlement of affairs in Ireland.

9. Papers from the Dutch ambassadors.

Credentials to the agent of the king of Denmark.

An act for the better settlement of the affairs of the admiralty and navy.

Blake. General Blake continued general of the seas for nine months.

Kirk. 10. Letters that notwithstanding the parliament's declaration, yet the kirk judicatories proceed as formerly, and are very high against the parliament of England and their army; and Mr. Cant persuades his auditory to prepare for suffer-
Covenant. ings, and presseth the covenant; and that when parents bring their children to be baptized, he causeth them to engage to bring them up in the covenant.

A letter written to the laird of Drum by direction from the presbytery of Aberdeen,

That they were resolved to excommunicate him, unless he submit to them, and rescind his appeal.

He is exhorted to prevent this dreadful and direful judgment.

That presbytery is the Lord's ordinance, 1 Tim. iv. 14.

That religious swearing is not only lawful, but commanded and practised by God himself.

The laird of Drum, in his answer to this letter, saith to the moderator,

That he expected from their severity to be excommunicated summarily for his appeal to colonel Overton.

That he can neither in point of conscience nor honour grant the conditions they require; and yet that he doth humbly submit himself to God's will.

That many others have spoken more freely than he against the usurped tyrannical power and supremacy of your presbyterian inquisition, to which they impute the cause of all those miseries which have befallen this nation:

Yet none are persecuted by you but I and my family, whereby it is notoriously known that the only cause of your unparalleled severity against me is my appellation to colonel Overton, wherein I imitated St. Paul, who did appeal from the cruelty of the Pharisees to Cæsar, a civil judge and no Christian:

Which I have the more reason to do, seeing I found all your questions to be matters of your own invention, which yet you urge as necessary and gospel truths; and because all your indifferences, prayers, and preachings have been and are more for advancing your own interest and factions, to hinderance of a blessed peace betwixt the two nations, than for the advancement of the gospel of Jesus Christ;

I therefore, upon these principles, do not at all fear that which ye call *the dreadful sentence of excommunication:*

For either ye are infallible in your proceeding sand judgments, or ye are fallible; the first I think you will not arrogate to yourselves, for that were the highest point of popery, albeit ye often practise in deeds what ye deny in words:

And your so frequent changes will prove it to be evidently false.

If ye be fallible, I am not much afraid of your fallible sentence, since I have so great reason to think ye actually err by urging me to swear,

That presbyterian government (as ye use it) is the only government which Christ hath established in his church:

So that of late ye have made it the third mark of the true kirk.

I acknowledge and receive those words of our Saviour which ye act; *Tell the kirk; and if he will not hear the kirk, let him be to thee as a heathen:*

But I do not approve your interpretation and application of them; for by this means ye assume unto yourselves the name of the whole kirk, as if all others, who did not approve your discipline, were false kirks; and thereby ye furnish too strong an argument to the papists against Luther and other reformers, who would not hear nor obey the papistical kirk, albeit there was no other kirk nor congregation then settled:

Therefore I care no more for your excommunication than you care for the pope's.

And whereas ye pretend to show that presbyterian government is established by the word of God, citing 1 Tim. iv. 14,

May not I as justly cite to you the chapter immediately going before, where the apostle speaks of the office and duty of bishops, and to give you two for one?

He resumes also the same words in the first to Titus, which, if they be taken according to the words, may be as strong an argument for the bishops; but such arguments as these are mere logomachies, every one throwing the word of God to their own sense and interest.

And because ye find the word of *presbytery* once in the scripture, ye think ye have won the point, which would make no more for you than for the papists, who call their priests *presbyters*, and the congregation of their *presbytery*.

Ye turn the word *presbyter* an *elder*, and in your *presbytery* (which should be turned *eldership*, as it is in my own house Bible, printed anno 1630, as being derived from *presbytery*) ye admit only ministers, whereas, according to the word, they should be all *elders:*

By which it may appear, that ye could only act that one place for yourselves in the whole word of God, which makes more against you than for you.

I do not question about names, I doubt only about the thing ye intend by it, for I can see no authority, neither in the word of God, nor in the practice of any kirk as ye use it, nor in any approved author; and if you did esteem so much of the kirk as ye would have me do of your *presbytery*, ye ought not to have given me such ensample by protesting against the late national assembly, which is the supreme representative body of the kirk in this land:

Whereby yourselves are liable to censure as schismatics, and therefore have no power to censure me.

I acknowledge God is honoured by oaths; yet that must receive some limitation; they must be taken in judgment, in truth, and upon necessity.

Now I appeal to your own consciences whether you have observed these conditions in your urging so many dreadful oaths upon this miserable nation these years by-past, not only in the covenant, but in your solemn league with your presbyterian brethren of England; whereby ye enforced all men to swear to establish by arms that tyranny there as ye had done here; how many have ye enforced by threatening and execution of your kirk-censure? and the severity of the civil law falling upon them, depriving men of their estates to swear and subscribe to all ye enjoined or could invent, albeit ye knew them to be of far contrary judgment.

Wherein ye did imitate that feigned and false mother, who before

Solomon was contented to have the child divided; by which her hypocrisy was found out by that most wise prince.

By which means ye have made this nation guilty of horrible perjury, besides many other heinous sins.

I wish to God ye had remembered, or would yet remember, how 526
much ye cried out against the tyranny of bishops, when they were urging some of your number who were refractory to episcopacy, that there should be had some regard to tender consciences which were of another judgment.

But so soon as ye got the power into your hands, neither minister nor laird, man, woman, nor child was spared, nor no regard had unto them, whatever quality or condition they were of; all were forced, not only to obey you, but (which is the greatest point of tyranny over men's consciences) they were made to swear that they thought as you would have them, albeit, to your own knowledge, many thought the contrary.

But there was no regard, you would have it so, to satisfy your ambition and crooked ends.

Ye abhorred and detested the title of *lords* in the bishops, but ye have usurped without the name the power of popes, which was so much the more inconsequential in you, that professing and showing yourselves so often fallible, yet ye exacted one infallible obedience:

Wherein, if you have observed Christ's rule, which commands, *that whatsoever we would that men should do unto us, we should do the same to them,* ye have reason to look to it; and if ye had reason to complain of the bishops, I, and many others, have had much more reason to complain of you; for your little finger hath been heavier than all their hands; as woful experience hath showed.

I wonder that ye should write that presbyterian government is established by law in England, and that which ye call *independency* is only tolerated and connived at: this is a matter of fact well known, that presbyterians have no power of censuring or forcing men to swear, as ye do assume to yourselves.

The commonwealth of England will never permit such a tyranny to be established, for that were to involve themselves in a greater slavery of conscience than they were in before under the bishops.

Both reason and experience plead against you in this matter, and therefore you must pardon me if I do not give credit to your bare relation without some more proof.

Whereas you accuse me of *blasphemy* for calling your summons *libels* and *pasquils,* &c., because in them ye cited the word of God, I wonder much of your rashness in judgment, that you cannot discern between your own word and the word of God. I do most

humbly reverence and honour the one, and what censure I made was only on your words, which would involve me in perjury by a forged interpretation of God's word, to swear that your government, as ye use it, is only *jure divino*, which I can see no reason to believe.

If any blasphemous heretic, such as Arrius was, would cite the word of God for his blasphemy, as he did, and write books in defence of it, would any be guilty of blasphemy for calling such books (as they cited the word of God) *pasquils* and *libels?* I suppose no man of judgment can be guilty of such grossness.

I do not apply this to you, of whom I have a charitable opinion, only I intend to clear myself of blasphemy, with which ye unjustly charge me.

I entreat you to abstain from your spells and divinations ye have used against me, as a ringleader of novelty, lest these judgments ye presage will befall me light heavy upon yourselves, for the many false glosses ye have put upon the word of God, and your deceiving the poor and ignorant people, and enforcing others, who saw evidently your deceits, and for your cruel and bloody practices for maintaining your own private and perverse interests.

I do not take you for prophets, or that you have any extraordinary divine revelations; the whole country now see by experience that many, if not all your bragging prophecies, concerning the prosperity and setting up of your presbyterian court, which you would have all men to adore as an idol, have proved very false.

So that it may justly be said of you what God saith by the prophet Hosea, chap. viii. 6, 7, against Samaria and its idol calf: *The calf of Samaria shall be broken in pieces. They have sowed the wind, and shall reap the whirlwind: it hath no stalk: the bud shall yield no meal: if so be it yield, the stranger shall swallow it up.*

Which words, I think, agree now most evidently to you and your calf, which you did equal to the word of God, and pressed it much more; and for which ye yourselves spent only much wind, albeit ye made others spend much money, of which I have found as doleful experience as any one in this nation, but now, by God's just judgment, ye have reaped a whirlwind.

Your prosperity did blind you; and it was ever the strongest argument ye used (except pike and musket) that did shut your bowels against all compassion. I pray God now your eyes may be opened, and that ye may make good use of your humiliation, lest it be said of you that ye are humbled but not humble.

I shall not wish that ye be used with the same measure of rigour wherewith ye have used others, which yet were just with God to

render to you; for I think in that case we should see few patient sufferers, albeit we have found many great professors and zealous persecutors.

I do not desire your persecution; the greatest evil I wish you, which indeed is good for your own souls, that ye be not suffered to have any more power to present others, who, without your disparagement, are as good Christians as yourselves, however you are pleased to have them all nicknamed and esteemed papists or godless persons.

For the tenderness of the presbytery's good-will towards me, whereof you make mention in the end of your letter, I willingly accept it, for there is none who shall overcome me in kindness; but I wish ye had not used me so harshly heretofore when ye had power both of kirk and state in your hands, which I trust in God ye shall never have again, by enforcing my servants, when all other means failed, to prove your vain inquisition, to reveal upon their oaths what they knew, saw, or heard within my house; which was an incomparable point of severity, to give it the best word.

I suppose never was Spain's inquisition arrived to that height, I am sure they could not go beyond it.

Now if ye will desist from your rigorous proceedings against me and my family, I shall rest contented for all that is past, for I intend to offend none, but to defend myself; but if you will yet proceed upon your former principles, which I think in conscience ye cannot do, I am not resolved to buy your friendship at so dear a rate as the perjury of my soul.

Only I shall strive to let my innocence be known, whereby your cruelty will the more appear and be abhorred.

And now to conclude, I wish you, as a friend, to spend this Saturday next in better meditations than you did the last, wherein you did put in practice your great presbyterian maxim, borrowed from Michael, *fortiter calumniari*, against him who is, sir,

Yours, if you walk in the truth,

Drum, Jan. 20, 1651. A. IRVING.

12. A sutler, for having two wives, was sentenced by the court-martial to be whipped at the gallows and turned out of the army. 527

The number of shires in Scotland summoned by the English commissioners to send in their deputies were thirty-one, the number of boroughs fifty-six, stewarties one. The number of shires whose deputies have appeared and assented to the union were eighteen, the number of boroughs who assented were twenty-four. Scotland.

Many others attended, but their commissions being defective they were dismissed, who yet petitioned for new summons, and come in daily with assents to the union.

13. Letters to the parliament from their commissioners in Ireland, of the state of their affairs there:

Ireland. That the earl of Clanrickard had sent for a treaty to come in to the parliament, and to put a period to the war there; sir Charles Coote sent copies of the earl's letters to the parliament; that the town of Galloway, with the nobility and clergy, requested the earl of Clanrickard to send for a treaty for the settlement of the nation:

That if a treaty were not granted, and a safe conduct for the earl's commissioners, they resolve to stand upon their defence to the utmost hazard of their lives.

The letter was directed to the commander-in-chief of the parliament's forces in Ireland:

That colonel Reynolds marched into Caterlogh, where the enemy had all the country thereabouts in their power, and three garrisons:

That upon his coming near to them, they quitted two of the garrisons, and the next day surrendered the third, a place of great importance, and the only pass over the Shanon in those parts:

That the colonel had there four hundred barrels of corn, and forage for some horse which were in great necessity; a captain, a lieutenant-colonel, and some other officers, were taken prisoners, and thirty of the enemy slain by the parliament's forces:

That sir Theophilus Jones had taken a castle, put some men to the sword, and thirteen priests (being therein) having with them 2000*l.* in money:

That captain Clark in the bay of Galloway had sunk a great Dutch ship laden with provision, by forcing her upon the rocks, and had taken another.

Barbadoes taken. 15. Letters that sir George Ascue had sent in a third summons to Barbadoes to submit to the parliament of England; which being refused, he formed a regiment out of the ships of six hundred men, whereof one hundred and seventy were Scots.

The enemy having notice four hours before of their coming, made opposition at their landing with nine companies of foot and three troops of horse, who made a gallant charge.

But the parliament's forces having received the onset, immediately fell in upon the lord Willoughby's forces, and wholly routed them, and their commanders ran away and left the foot engaged; after which the parliament's forces pursued the enemy to their fort royal, and stormed it, with the loss of nine men, some hurt, as colonel Morrice, his major, and others:

That fifty of the enemy were killed, and one hundred prisoners taken, all their ordnance dismounted, and many of their houses burned by the parliament's forces, the place being not tenable:

That soon after sir George Ascue sent a trumpet to the lord Willoughby, which produced a treaty; and hostages being given, articles were concluded between them for the surrender of Barbadoes, and the rest of the islands, to the obedience of the commonwealth of England:

That the lord Willoughby, colonel Walrond, and divers others, should have protection for enjoyment of their estates in England or elsewhere: Lord Willoughby.

That the inhabitants be protected from the fury of the sword, and to enjoy and live peaceably in their own habitations, acting nothing prejudicial to the parliament.

Sir George Ascue was very courteous to my lord Willoughby, and gave him very good terms upon his rendition of the island, and did great service in it for the parliament:

That colonel Pointz, governor of St. Christopher's, seeing the inhabitants of that island generally well-affected to the parliament, quitted that island and went to Virginia:

That sir George Ascue, by reason of prince Rupert's being near him, his fleet having watered and ballasted, he sailed towards Virginia to prevent prince Rupert's getting that place.

Letters from lieutenant-general Ludlow concerning the earl of Clanrickard's letters; that the lord of Muskerry was in treaty with the lord Broghill, and colonel Fitz-Patrick with colonel Reynolds. That colonel Axtel fell upon the enemy, killed one hundred, took three hundred horse; that captain Gilbert took lieutenant-colonel Farrel, a major, and two captains; major Meredith drove thirty of the enemy into a bog, and put them all to the sword: Ireland.

That captain Cotterel slew another captain, major Bolton

killed and took twenty-five of the enemy with their horse, and endangered Scurlocke; captain Preston took a captain prisoner, and killed sixteen of his men; captain Staffe fell upon the enemy in Thomond and was shot, yet his party routed the enemy and killed their two officers:

That colonel Reynolds took in the Collowe, and garrisoned a fort there.

A vessel taken by captain Church, attempting to go into Galloway with corn, and bulged on a rock; another vessel taken laden with wheat for Galloway.

Three companies of the enemy at Dingel routed, and all their arms taken:

That the synodal assembly at Edinburgh emitted a declaration, for every one of their congregation to subscribe any thing tending to an union, and desire every one to do what is publicly commanded in reference to quarter and assessments:

That sir James Stuart protested against the acting of the English commissioners and of the Scotch deputies, and left Edinburgh:

That Argyle wrote to all of his name, (though some of those gentlemen lived a hundred miles from him,) to attend him to Dunbarton to meet the English commissioners; that he had a considerable part of the Highlands in league with him.

16. Sir Henry Vane, and another of the parliament's commissioners sent into Scotland, returned, and gave an account to the parliament of their commissioners' proceedings in Scotland; and what had passed between them and the deputies of the Scots; that twenty shires and thirty-five boroughs had assented to the union.

Union.

A petition presented to the house by divers merchants and seamen, ship-carpenters, &c.

Answered, that the parliament did accept well of the petition, and gave the petitioners thanks for their good affections.

528 An act passed for impressing of seamen.

Danish minister.

Reports from the committee appointed to receive the Danish public minister.

That he, after a short preamble, delivered his letters of credence from the king of Denmark his master, with papers of what he delivered by word of mouth, which were read and

referred to the council of state, to hear the Danish agent, and to treat with him.

Reports touching the payment of small debts owing upon public faith; votes upon it.

Reports and orders upon them touching compositions of delinquents.

17. Letters that major-general Deane was gone to treat with the marquis of Argyle; that the country people followed their husbandry; that the cavaliers in Scotland were most forward to submit to the parliament of England. Scotland.

19. Letters that Galloway was reported to be surrendered; that the rebels wanted victuals and were much divided, so that colonel Venables had intelligence from their provincial council.

20. Letters from Orkney of great dangers passed by the parliament's forces in going thither, and the inhabitants' willingness to submit to the parliament of England:

That deputies from more counties came in daily to the parliament's commissioners in Scotland, and a fair compliance was expected.

They desire a general meeting to comply and carry on the general union: Union.

That the provost of Edinburgh by the parliament's authority convened a minister for preaching against the union; but the minister said, that he knew better what to preach than the provost could instruct him:

That the isles of Orkney and Shetland sent their deputies to the English commissioners, and consented to the union:

That the commissioners ordered a citadel to be built at St. Johnston to hold five hundred men.

The parliament ordered an act to be brought in, to incorporate Scotland into one commonwealth with England.

22. Letters that the treaty was begun with Argyle in relation to his coming in; and for the good effect thereof, the presbytery daily meet, and fast and pray; that the Hollanders called away their ships from Scotland, and some of their ships hung out the Scotch king's colours:

That a considerable fleet was come into Leith with corn and other provisions very seasonably, there being before some scarcity:

That many, formerly refractory, came in daily, and a face

of peace was upon the whole nation; the bitterness of some spirits began to assuage, and the union with England desired.

Several persons desired the enlargement of their friends the Scots who are prisoners of war in England, and offered sufficient bail for their appearance when required, and in the mean time to live peaceably, and submit to the parliament, and to subscribe the engagement.

Ireland. Letters of great divisions among the Irish rebels, most of them being for a treaty; but the priests had inflamed the rest, especially those of Galloway, against it; that they have sent several expresses of dean King into France for relief, else they cannot hold out any longer; that the tories do much mischief.

To prevent which and other inconveniences, the parliament's commissioners in Ireland published a declaration, excepting several places from the protection of the parliament, from which all friends to the parliament are to remove their persons, families, and goods, and those that remain in those places shall be taken as enemies, slain and destroyed: and all intelligence forbid with them, and that those who shall remove from those places shall have other waste lands assigned them, and places for their habitations.

23. Dr. Walker and Dr. Turner added to the committee for regulating the law.

Order for an act for confiscation of the estates of several persons in Scotland, and for pardoning the rest.

An additional act passed for sale of the remainder of fee-farm rents.

Referred to the council of state, to nominate persons for administration of justice in Scotland.

Order for an act to prevent the mischiefs and robberies upon the borders, and for settling of the fishing upon Tweed.

Report from the committee for regulating the law of an act for marriages to be made before justices of the peace.

Bills. That committee presented to the committee of parliament, to be reported to the house, the draughts of several acts, viz.

For taking away fines upon bills, declarations, and original writs.

Against customary oaths, of fealty and homage to lords of manors.

For taking away common recoveries, and the unnecessary charge of fines, and to pass and charge lands entailed, as lands in fee-simple.

For ascertaining arbitrary fines upon descent, and alienation of copyholds of inheritance.

For the more speedy recovery of rents.

Touching pleaders and their fees.

For the more speedy regulating and easy discovery of debts and damages not exceeding four pounds and under.

24. Letters that the new chosen magistrates of Edinburgh had subscribed their assents to the union with England, and taken the same oath that the mayors of cities and towns in England do take; and that other burghs in Scotland sue for license upon the same terms to choose new magistrates: Union.

That in many parts of Zealand the people are so mad against England, that it is dangerous for an Englishman to be among them; but in other places they are in a better temper.

25. I was desired to attend the business of the council relating to foreign treaties, wherein my attendance and labour was not small or easy.

26. Letters that captain Pen came to Pendennis with his squadron and five prizes, which they had taken in the straits:

That prince Rupert with three or four ships was upon the coast of Barbary, but his ships so much eaten out with arckes, that they were not able to keep the sea.

Of recruits shipped for Ireland.

27. Letters that major Salloway was returned from meeting with the marquis of Argyle, which was with much seeming love and kindness; none were present at the treaty but the marquis and one of his kinsmen, and major Salloway and major-general Deane. Scotland.

That forty sail of ships were come into Leith harbour, with provision and merchandise from England, so that the deputy-governor published a proclamation that no ship or vessel should have any fire or candle in them but at a certain time of the day:

That one English frigate went up to three Dutch men of war, who refused to strike sail to her, and with a broadside of above twenty guns persuaded them all to strike to the English frigate. 529 Frigates.

29. Letters that there is no doubt of a fair compliance by the marquis of Argyle with the commissioners. Argyle.

He insists upon protection and freedom for himself and

his tenants and their estates, and payment of the debts owing to him from the parliament of England.

Proposals were tendered to the committee for propagating the gospel; for supply of all parishes with able and godly ministers; for settling of right constituted churches, &c.

An account of the forces come away from Jersey, and of recruits for Ireland shipped:

Dutch. That the States of Holland sent an express for all the captains of their men of war forthwith to go down to their ships, and to stay all shipping going for England; which embargo raiseth thoughts that they intended war against England.

Union. 30. Reports to the parliament, from the commissioners for Scotland, of the form of consent of the deputies of the shires and boroughs of Scotland to the union with England into one commonwealth, without a king or house of lords, and to live peaceably in the meantime with submission to the authority of the parliament of England;

With their petition for new magistrates to be chosen of such as consent thereunto, and that course may be taken with the ministers who preach against this union.

April 1652.

Ireland. 1. Letters of recruits shipped for Ireland.

A letter signed by Gerald Fitz-Gerald, in behalf of an assembly of the Irish in the province of Leimster to the parliament's commissioners for Ireland, setting forth the calamities of war and the blessings of peace, and the good inclinations of the commonwealth of England to give reasonable conditions to those that shall submit to them.

He desires a safeconduct for the inhabitants of the several provinces to meet and choose commissioners, to treat with and propound such things to commissioners to be appointed to meet with them as may conduce to the peace and settlement of that kingdom.

The commissioners in Ireland published a declaration in answer to this letter,

That they cannot in duty and honour own that of Gerald Fitz-Gerald for an authority, but declare,

That the settlement of the affairs of Ireland doth of right belong to the commonwealth of England, the consideration whereof is at present before them.

2. That in the settlement thereof the parliament will make distinction of such persons as have lived peaceably, or having been misled, have since submitted to their authority, and those who have acted or abetted the murders and massacres of the protestants, and such as adhered to them the first year of their rebellion, or such as continue in hostility.

3. That to grant safeconducts to such as are in hostility against the parliament, to meet and consult together, is an act to which the commissioners cannot in prudence consent.

4. That for such as are now in arms, and are willing to lay them down, and submit to the parliament, upon timely application to the parliament's ministers here for particular places and persons, such moderate terms will be consented unto as men in their condition can in reason expect.

Lieutenant general Ludlow.

Lieutenant-general Ludlow, by advice with the English commissioners and field-officers of the army, returned answer to the earl of Clanrickard's letters,

That the power of ordering the affairs of Ireland belonged to the parliament of England, who would not capitulate with those in arms against them; but, upon application of particular persons, such favour would be showed to them as they should deserve, and should be reasonable.

The commissioners from the rebels presented another paper to the English commissioners, for a safeconduct to such as should be appointed commissioners by the provinces to attend the parliament.

To this the parliament's commissioners made answer,

That they do not hold it fit or reasonable to lay open their power; but such as shall submit they have sufficient power to receive them into the parliament's favour.

As to the granting passes to any to go to the parliament, they hold it not fit to such as, contrary to their duty, are in hostility against them.

2. Letters that the Bas-island was delivered up to the parliament, and in it all the kirk records, which much troubled the clergy.

An act passed for continuing sergeant Bradshaw chancellor of the duchy, and Bartholomew Hall, esq., attorney-general of the duchy.

3. An act passed for removing obstructions in the sale of the king's lands, &c.

Letters, that the Dutch ships had orders, if they met any English ships, to bring them into their harbours.

5. Letters of a petty rising of some highlanders, but their commander and a few of them being knocked down, the rest of them ran away:

That a bloody moss-trooper was condemned to be hanged, and another by the court-martial to be shot to death, for killing a Scotch woman:

That some English troopers being pursued by some moss-troopers, who said they were of colonel Okey's regiment, and friends, and so they put up their arms again, and rode on together; when suddenly the moss-troopers drew out their pistols and killed one of the troopers, wounded another of them, and took the rest prisoners, and afterwards in cold blood murdered three of their prisoners, and the fourth miraculously escaped.

6. Letters of the low condition the Irish were brought unto; of John Fitz-Patrick, an eminent rebel, admitted to his submission to the parliament; and of Clanrickard's letter for a national treaty; of the good service of colonel Reynolds, and the other officers and soldiers in Ireland.

Ireland. Of the forces of the parliament about Eniscorfy burning the corn, and every morning the houses they quartered in the night before; killed and took many Irish; that he was an idle soldier who had not a veal, lamb, pig, poultry, or all of them, for his supper; that they destroyed as much provision as would have kept many thousands of the Irish till next harvest:

That they took about two hundred garons, three hundred cows, and four hundred sheep and goats, and many horsemen.

530 Of contests between the townsmen of Galloway and the soldiery, the earl of Clanrickard taking part with the soldiery, and persuading the town not to submit but to a national treaty; the town insist upon a treaty for themselves.

Of assents of more shires and boroughs in Scotland to the union with England transmitted to the parliament.

The house passed instructions about the earl of Argyle to the council of state.

The Cracovian Catechism reported to the house, and voted by them to contain matters that are blasphemous, erroneous, and scandalous: Cracovian Catechism.

That all the printed copies of that book be burned.

Mr. Primate, upon his petition, was discharged.

Order for 4000*l.* to repair the pier and harbour of Dover.

That commissioners were in treaty about the surrender of Galloway.

The Dutch embargo taken off from the English ships.

Of the Dutch great preparations for the seas.

7. Letters that Blackness was not thought fit to be made a garrison; that Dunbarton-castle was one of the strongest holds in the three kingdoms:

That Argyle, in his treaty with major-general Deane and major Salloway, insisted much for the interest of the kirk; that the parliament's forces fortified Aire, a strong town and convenient harbour. Kirk.

9. Letters of the meetings of the ministers in Scotland, who do threaten interdiction and excommunication to compliers with the parliament, and that the highlanders fall upon them.

Of an eclipse in Scotland, that put the inhabitants to a great astonishment.

10. Letters that the Dutch ships in Pendennis harbour hasted away from thence, fearing an embargo by the parliament.

Of six English colliers taken by the Dutch, and rescued again by an English frigate:

That colonel Cook was slain, and no other of his party, in a skirmish with the rebels.

12. Letters from colonel Zanchey to the lord general, and read in parliament, of all the proceedings of his party the winter past; wherein, among others, he mentions the good service of captain Whitelocke: Ireland.

That they killed above four hundred of the Irish, and took three hundred and fifty, one hundred and ten whereof he sent for Spain; that they took many hundreds of cows and garons, and three hundred troops of horses, and a great quantity of arms; that about four hundred of them, upon their petition and security given, had been received into the parliament's protection:

That they hanged above fifty of the Irish, according to the

lord general's orders; that he had not lost above five men, nor any officers but captain Ball. He mentions the solicitation of many of the Irish for a treaty, wherein he was doubtful what to do, not knowing the mind of the parliament therein towards those bloody rebels, but that to colonel Odvery (who had been very civil and kind to the English who were prisoners with him, and very just in performance of all his engagements) he had granted a safe conduct and treaty, to be confirmed or annulled as the parliament should think fit; and sent a copy of the articles.

From Leith, that March 29 was so dark, that they could not see to write without a candle, and it caused great fear upon all men.

Union. 13. The act read for incorporating Scotland into one commonwealth and free state with England, and for abolishing the kingly office in Scotland, and committed.

A letter assented unto to be sent to the king of Denmark, and ordered to be sent.

Upon a report from the council of state of the abuses in clothing, and transporting of wool and fuller's-earth, a day was appointed to debate it.

Order to exclude all private business for fourteen days.

Order for an act to settle the Lincolnshire fens.

Dutch ambassadors. 15. There was a smart debate between the Dutch ambassadors and the parliament's commissioners, wherein the point of the right of fishing in the narrow seas, and the sovereignty of those seas to be in the nation of England, was touched upon; and by me more than others, to the distaste of their excellencies the lords ambassadors.

16. Letters that the forces of Dublin had killed about one hundred tories, and taken much cattle; that many Irish had made conditions with the English commissioners for a submission; that colonel Fitz-Patrick had made terms for five thousand men to go beyond sea.

Union. 17. Letters that most of the countries by their deputies had consented to the union of Scotland with England, and had chosen divers officers of the English army for their deputies.

Of shipwrecks near Scilly.

19. Letters that Galloway had agreed to surrender upon articles:

That colonel Reynolds had taken in two garrisons of great consequence bordering upon Ulster:

That the ministers of Scotland inflame the people against England, and damn all their brethren and people who are not of their opinion; that the laird of Drum had bid them defiance: Scotland.

That Argyle dallied and doubled with the English commissioners.

20. Letters that a party sent to Aire were received by the garrison of the castle of Arran upon conditions:

That ships were come to Leith with provisions and horse-meat.

A petition of the Eastland merchants residing at Dantzick, submitting to and commending the late act of navigation, which they do pray may be observed, and remedy of abuses in their trade. Merchants.

Votes that all wools brought into England shall be excise-free:

That an act be brought in to prevent the exportation of Scotch wools, woolfells, or leather.

Referred to the council of state to consider and prepare an act touching the adventurers for Ireland, and the qualifications touching Ireland formerly read in parliament; and that they be empowered to transport such of the Irish as they shall think fit into foreign parts; and about transplanting of the Irish from one part of the nation to another: Ireland.

And to consider of satisfaction to such officers and soldiers as shall be disbanded in Ireland.

Letters of the surrender of Galloway to the parliament's forces, with a copy of the articles; and several letters between the parliament's commissioners and sir Charles Coot in Ireland about that business, referred to the council of state. 531

Vote, that the committee for the universities and the committee of indemnity do sit no more; and the house appointed a day to consider of filling the house with new members. Vote.

23. Letters that the isle of Arran in Scotland, and duke Hamilton's house, the castle there, was upon summons surrendered to the parliament's forces. The island is eight miles over, and twenty-four miles in length; and those in the castle told the commander of the parliament's forces, that if they could have kept the castle against him, they would not have sur- Hamilton.

rendered it; but being they could not defend it, that he and his soldiers were welcome to it:

That the inhabitants showed much distaste to Argyle, but the civil carriage of the parliament's soldiers did much engage them.

24. Letters of several ships come into Leith road laden with hay, and others with merchandise; that the ship which brought the money for the army lost her rudder at Yarmouth road, and so was hindered of her voyage:

That Argyle was preparing of forces, and yet gave good words to the English commissioners; that great depredations were committed by the highlanders; that the chancellor sought to come in, and the ministers in the west were busy in designing against England:

Sir Geo. Ascue. Barbadoes.

That sir George Ascue had taken in Barbadoes; the letters from him with the articles were read in parliament, and the messenger had 100*l.* given him by the house.

Debate upon regulating of the prizes of wine.

26. Letters that sir George Ascue landed but two hundred at first under captain Morris, who beat up one of the enemy's quarters, and took from them a little fort with four guns, which they spiked up without any loss:

That the Virginia fleet came in thither, but very weak, and their men sick; yet sir George took the advantage of the appearance of that fleet, and sent a new summons to the lord Willoughby:

But he refusing to submit, sir George modelled four hundred into a regiment, and landed them at night, and were gallantly received by the lord Willoughby's men; but being night, they thought the assailants more than they were, and the seamen with great shouts running upon the enemy, they were so amazed, that after a short dispute they all ran away,

Leaving a place, where in a manner they were intrenched, and four great guns:

That this party thus routed were twelve hundred foot and a troop of horse; and sir George lost but seven or eight men, whereof one was lieutenant-colonel Allen; of the enemy were one hundred slain, and eighty prisoners:

The success was nothing towards the gaining of the whole island, the enemy having then about five thousand horse and foot in arms:

That the Virginia fleet after seven days went away, and then sir George, upon information of colonel Muddiford's interests in the island, and affections to the parliament, sent to him, and engaged him and his friends by giving them honourable conditions; and he joined with sir George, and made up two thousand foot and one hundred horse:

That the people came in hourly to sir George, who went on shore to colonel Muddiford and his company, and gave them full satisfaction of his commission, and the parliament's intentions; whereupon they engaged to live and die with the parliament:

That the lord Willoughby understanding this, marched up to them with all the force he could make; and one of sir George's great guns shot in at the door where the lord Willoughby and his council of war were, and carried away the sentinel's head:

That this night the enemy marched two miles from sir George's men, who had many designs, but were hindered by the rains for three or four days together; and before they could march, the lord Willoughby sent for a treaty, and in regard his strength was much the greater, and to avoid the destruction of that goodly island, which was already much wasted,

Sir George sent his commissioners to meet with the lord Willoughby's commissioners, and they agreed upon articles; and it was surrendered to the parliament:

The truth was, that the lord Willoughby was forced to this surrender, knowing that his men would not stand to him, but daily did desert him; and most of the islanders took in with colonel Muddiford against my lord.

Letters that the frigate with the money was safely arrived at Leith, narrowly escaping the sands, on which she struck six times upon the coast of Yarmouth, but was delivered by the breaking of her rudder:

That Argyle and his clans agreed to oppose the parliament of England, and that he had gotten ten thousand arms: Scotland.

That the kirk began to piece again, but the people were inclinable to the union.

27. Votes touching the payment of debts upon public faith.

Referred to a committee to consider how the poor may be

set to work and relieved, and not suffered to beg; and to review all the acts touching the poor, and report the defects of them; and to receive proposals for the city of London or others touching the poor.

An act passed for the further ease and relief of poor prisoners for debt.

France. Letters that the Scots king was engaged in mediating a peace between the king of France and the princes, wherein he alleged his own condition and that of his father; and the king of France thanked him for his good intentions, and desired him to make the like proposals to the princes;

Which the Scots king did; but the king of France refused to put away the cardinal, who offered to go away rather than to be a cause of continuing the miseries of France; that the princes doubled their guards, and the people were enraged against cardinal Mazarine.

29. Letters of the reducing of Barbadoes to the same effect as before:

L. Willoughby. The revolt of colonel Muddiford; and letters from my lady Willoughby to my lord her husband, that the king's forces were defeated at Worcester, and of the condition of the affairs in England, with her advice to him to submit to the parliament upon good terms: and letters to the same effect from other friends were the cause of his surrender of the island.

30. Orders for recruits from Pendennis-castle for Ireland, and six weeks' pay for them before they were transported out of England:

532 *May* 1652.

1. Letters that the declaration of the parliament of England for the union of Scotland with England, and their sending of members to the parliament of England, was proclaimed with great solemnity at Edinburgh cross; but the Scots showed no rejoicing at it.

3. Letters justifying the proceedings of the commissioners for propagating the gospel in Wales, written by Mr. Vavasour Power, a minister there.

4. Referred to the committee to consider how a competent maintenance for godly ministers may be settled in lieu of tithes.

Order for relief of maimed and sick soldiers.

Mr. Weaver, one of the commissioners of the parliament in Ireland, came into the house, whereof he was a member, and gave them an account of the state of their affairs there.

Letters of credence of the queen of Sweden to the noble Hareldus Applebone, her public minister, to the parliament of England, were read; and letters from the prince of Conde to the parliament read; and both of them referred to the council of state. Sweden. Conde.

Letters that Argyle did again solicit for some singular act of favour from the parliament of England, but his ways were known: Argyle.

That three judges were come from England to administer justice to the Scots in Scotland.

5. That some travellers upon Hounslow-heath saw a strange apparition of the sun about six o'clock in the evening, &c.

6. Letters that the ministers of Scotland were as bitter as ever against the interest of England:

Of more counties and boroughs accepting the union with England; and that Argyle had agreed to terms to come in to the parliament of England, but they were not published: Union.

That the lord chief justice St. John, Mr. Salloway, and alderman Tichburne, the parliament's commissioners in Scotland, went away for England:

That the deputies of Argyleshire had consented to the union.

7. Letters that the magistrates of Musselburgh had taken the engagement of the parliament of England:

Of a pirate who took several English vessels to the westward; of recruits shipped from Pendennis for Ireland:

That the Irish begged for conditions to come in to the parliament, and some of them were admitted.

10. Letters of preparations to reduce Dunnoter-castle in Scotland:

That the new judges sent into Scotland were very busy in settling of new judicatories there:

That Ireland was wholly reduced, and had no other refuge but bogs and woods; that the plague was much abated there:

That commissary-general Reynolds had gotten most of the provisions of the rebels, and killed and taken many of them, and prevented their fortifying:

That he settled three considerable garrisons upon passes in King's County; took in the strong forts in those parts upon quarter for life only.

11. The Scots commissioners returned, and were in the parliament.

Representative. The committee revived for setting a period to this parliament, and providing for future representatives.

12. Debate upon qualifications of such persons as shall be received into the house as members.

Captain Howe. Letters that captain Howe, a young gentleman who had done gallant service for the parliament in Ireland, being assaulted in his quarters by a party of the tories, he at the first charge routed them; but then they came on again with a fresh party, and routed captain Howe's party, who endeavoured to make good his soldiers' retreat; and himself charged three times, and came off well; but upon a fourth charge he was unfortunately slain, and his death was very much lamented.

13. A duel between the lord Chandois and Mr. Compton; and the lord killed Mr. Compton.

14. The knocking of a link near some reeds set the reeds on fire, and they fired a house in Rotherhith, and two ships lying near the shore; and burnt them at low water, when no boats could come to help them, nor could they get water.

Letters that the inhabitants of Virginia willingly submitted to the government of the parliament:

15. That the army in Scotland was taking the field:

Of the refractoriness of the ministers:

Judges in Scotland. That the judges sent out of England published a proclamation at Edinburgh, that they would sit at the usual place for administering of justice.

17. Letters from the commissioners in Ireland to the parliament, giving an account of the affairs there, of the provisions received, and acknowledging the great care of the parliament therein, and how they had disposed thereof to the forces:

Ireland. Of the ports in Kerry fit for a foreign enemy to land in; that Clanrickard and others were gone to Ulster to join with Phelim O'Neale; that in some places the enemy have made some incursions in small parties, and taken some prey and dragoon horses; but upon their return, they being two hun-

dred and fifty horse and five hundred foot, they were met by lieutenant-colonel Throckmorton with one hundred and forty horse and four hundred foot, who had no pikes, and the horse at first made some retreat:

But at length, after a sharp dispute, the English horse routed the Irish, and killed two hundred of them on the place and in the pursuit, and took and killed divers officers, and had but twenty-one killed and one hundred soldiers wounded:

That the Irish clergy have excommunicated colonel Fitz-Patrick for submitting to the parliament; and the laity published a declaration against him and all that joined with him; and some of his party were cut off by the Irish, who also cut off the ears of some whom they took prisoners:

That Fitz-Patrick met with some of them:

That shipping was wanting to transport those who are to go beyond seas, two thousand of Fitz-Patrick's party, one thousand of O'Dwyer's party, and four thousand more:

Of many applications made by divers chief officers of the Irish to come in to the parliament; and commissioners were sent with instructions to give the same terms which colonel Venables was authorized to give to those in Ulster:

That sir Charles Coot explained the articles of Galloway, which he yielded to, to prevent charge to the parliament, and to get the possession of that city.

18. Letters of one of the parliament's ships meeting with three Dutch men of war and four merchants; that the Dutch admiral came under the lee of the parliament's ship, and kept his flag up; whereupon the English ship sent a boat to him to acquaint him that they had received orders from their admiral to cause those ships they met to take down their flags; and presently the Dutch admiral took down his flag, and saluted the English ships with three pieces of ordnance, and the English did the like to him: 533 Fleet. Dutch flag.

After the admiral came the vice-admiral of the Dutch, but came to the windward of the English, contrary to the custom in the narrow seas, and saluted the English with thirteen shot, but took not down their top-flag:

The English called to them to take it down, but they refused, and still sailed on with it up; so the English filled their sails, and hasted all they could after the Dutch vice-

admiral, and ordered their boat to go on board them to persuade them to take down their flag; but he, instead of taking it then down, gave a cross answer, and said he would not, and that we should come and take it down ourselves:

Upon advice, the English addressed themselves to prepare to fight the Dutch; but before they began, there was come up with them a little frigate of twelve guns, which did instantly let go three guns at the Dutch rear-admiral for them to strike, but he did not fire again, only pleaded, that they durst not take down their flag so long as their vice-admiral kept up his:

Whereupon that frigate spake with their admiral, and desired to know the reason why the vice-admiral did not submit to take down his flag; to whom the admiral answered, that he thought they were drunk: the captain of that frigate propounded to the admiral, whether he would side with him in his standing out, and he answered, No; but said, as they brewed so they should bake:

Hereupon the English ship came up to the vice-admiral and gave him a broadside, and saluted him with eighteen guns, which did good execution; and they likewise gave the English a broadside; and they had for a time a hot dispute, in which one of the English was hurt, and another wounded, and one slain; the Dutch had a greater loss:

But afterwards he took down the flag, and the admiral and other vessels gave the English such loving salutes, confessing their faults; and so they parted good friends.

19. The house sat in a grand committee for setting a time for the ending of this parliament, and about succeeding parliaments.

Referred to the council to take care about the reception of the two ambassadors come from the king of Denmark.

A letter of count D'Ognion to the parliament was read.

Ireland. Vote, that no commission be granted to any lieutenant of Ireland after the expiring of the present commission to the lord deputy Lambert; and referred it to the committee touching the adventurers for Ireland, for encouraging English protestants to plant there.

Letters of a body of the Irish together intending for the Lagan.

21. Letters of recruits for Ireland:

Of a ship fired by a barrel of powder, but her men saved, and she mended and put to sea again, and was taken by a ship with commission from the king of Scots; another ship taken by a French pirate:

That Scurlocke, the arch tory, met with some English, pretending a treaty to come in; but upon the advantage they had they fell upon the English, and disordered them; but another party of English coming in, routed the rebels, killed three hundred on the place, and took many prisoners.

Letters to the parliament, that Van Trump, the Dutch admiral, sailing in the Downs, with an unusual fleet of forty-five men of war, being demanded the reason of it, said, that he was forced in by tempestuous weather, and had no design to prejudice the commonwealth of England: Van Trump.

This being held a slight answer, and that there had been no stormy weather, and his slight behaviour towards the English, confirmed a jealousy of him, and notice was given of it to the council and to the English admiral,

Who coming thither, saluted the Dutch fleet with a single gun, to require them to strike sail to ours, they being within the territories of this commonwealth, the honour whereof our navy was bound to maintain:

But they refusing, a second gun was fired, and a third, which Van Trump answered with a broadside; by which our admiral discerning their intention to fight us, singled out himself from the rest of the fleet, to treat with Van Trump about that point of honour, and to endeavour to prevent the effusion of blood and national quarrel:

But when our admiral came near Van Trump, he and the rest of his fleet, contrary to the law of nations coming upon a treaty, fired upon our admiral with many hundreds of shots:

Yet the admiral, though for some time he fought alone against the whole Dutch fleet, after four hours' fight he forced the Dutch to flight, the darkness of the night not permitting us to follow; we took two of their best ships in the fight, and one of them sunk as we brought her to shore, and the Dutch fleet fled westward, and ours did cast anchor in the same sea where they did fight:

We lost fifteen men, most of them out of the admiral; the loss was great the Dutch had, but the particulars not

known; the seamen from the shore came out in little boats to assist us.

Dutch ambassadors. 22. A guard was set upon the Dutch ambassadors where they were at Chelsey: the lieutenant-general and many of his officers went to Dover.

Fight in the Downs. 24. Letters of the particulars of the fight at sea betwixt the English and the Dutch; that the English admiral had their master and others wounded, and received a thousand shot, her mainmast shot away, all her rigging torn, shot between wind and water; that they took one of the Dutch, of thirty-six guns, and sunk another:

That general Blake was sent to by major Bourne, and came in to the fleet; and that Van Trump came near to our fleet when there was no occasion for it; and coming near to general Blake's ship, he shot two guns at Van Trump's flag, but without ball, to call to him to strike; and Trump shot on the averse side of his ship, which was in high disdain of the English:

That then Van Trump hung out a red flag, which some of his officers, being prisoners, confessed was their signal, and gave a broadside to general Blake, and so the fight began between them; and major Bourne came in to the engagement with eight ships more, and the fight continued four hours:

That the next morning the Dutch fleet was four leagues
534 from ours towards the coast of France; that general Blake had six of his men slain, nine or ten desperately wounded, twenty-five more in danger, and the master and one of his mates; that he received seventy shot in his hull and masts, and in his sails and rigging without number; and sometimes alone fought with the whole Dutch fleet.

Ireland. 25. Letters of an agreement by articles between the officers of the parliament's forces, lieutenant-general Ludlow, &c., and the earl of Westmeath, and the grand tories and forces in Munster, Connaught, and Lemster, for their submission to the parliament:

Of great differences among the kirkmen in Scotland:

26. The ambassadors from the king of Denmark had audience in parliament.

The lieutenant-general Cromwell settled the business of the fleet at Dover, and returned to London. General Blake's

fleet was reinforced; the Dutch appeared with seventy sail, but attempted nothing.

The act read for continuing the monthly assessments for the armies.

A committee appointed to consider in what places and on what days markets are fit to be kept.

Referred to the commissioners of the great seal to issue out a commission, and take care for the visiting of the Charter-house hospital near Kingston-upon-Hull.

27. Letters that lieutenant-colonel Throckmorton met with Duncan, who had five hundred foot and four hundred horse near Wexford, who had taken all the cattle, and left not a cow to give milk; that at the first charge the Irish behaved themselves gallantly, and put the English to some disorder; yet the Irish did not pursue till the English had rallied; and upon the second charge the English beat up the Irish to their horse, and so put them to the rout, killed two hundred of them, and many officers prisoners, and lost but thirty men, and sixty wounded. Throck-morton.

28. Letters that the judges at Edinburgh met and heard a good sermon, and then sat in the court of justice; and Mr. Smith, one of them, made a speech to the company, of the occasion of their meeting, and to take off some aspersions cast upon the parliament by the ministers, as if they countenanced heresies and blasphemies: Judges. Scotland.

Then they caused the act of parliament against heresies to be read, and concluded, that he doubted not but they should give satisfaction to the people of Scotland in the due administration of justice to them:

Then a list of the fees of officers was read, and the auditory seemed to be much contented:

Of recruits shipped for Ireland, and of some vessels taken by pirates.

29. Letters of the arrival of sir George Ascue and his fleet at Plymouth from Barbadoes, with thirty-six prizes.

31. Of the siege of Dunotter-castle in Scotland, and the high terms they stand upon; that the high sheriffs appointed in Scotland went to execute their offices:

Of differences among the ministers in Scotland, and the lord Wareston and others consulting against the assembly of the kirk: Scotland.

That the people questioned divers great men before the new judges for former injuries and oppressions:

That colonel Dungan wrote a civil letter to lieutenant-colonel Throckmorton, that since he was master of the field, by a fair dispute, he desired a civil usage of the prisoners he had taken, and a list of them, and whether ransoms would be taken for them.

June 1652.

1. Letters that the Holland fleet was battered, and made unfit for fight:

That the plague was at Liverpool:

The parliament ordered a day of public humiliation and fast through England and Wales, and appointed a committee to prepare a declaration of the grounds of the fast:

Order for preserving books and manuscripts at Winchester.

Report of a paper from the agent of the queen of Sweden, and another from the ambassador of the king of Denmark, read in the house, and answers to them agreed upon.

Votes, that nothing in the articles of rendition of Limerick shall extend to any toleration of the popish religion.

2. Debate in parliament how some retrenchment may be made of the charge of the commonwealth with safety, and how the revenue of the state may be improved; and a committee was appointed to consider thereof.

Vote that all annual salaries to officers for sale of lands of bishops, and of deans and chapters, be suspended till further order.

4. Letters that the Hollanders took into their ships many pickaxes, spades, shovels, and barrows, which caused a suspicion of their intent to land:

That there was an embargo put upon the Dutch ships in Scotland:

Dunotter-castle. That the English forces before Dunotter-castle in Scotland playing with their guns at it, and having shot in about twelve granados, which broke into their great tower, and killed seven men; those in the castle, notwithstanding their high terms before, yielded upon conditions only to march out half a mile with their arms, and then to lay them down:

That this was the last garrison in Scotland unreduced:

Blake. That the fleet under general Blake was much increased in

ships and men; that he, with his officers and seamen, kept several days of humiliation in the fleet:

Of another engagement between captain Moulton, with some ships, against some of the Dutch, who were beaten by the English.

5. Letters that prince Rupert took an English merchant's ship with thirty-nine guns, and made her his rear-admiral, and put in her French and Dutch mariners, and used the English mariners very hardly; who consulted among themselves, and one of them, a carpenter, took his advantage to single out the captain, and the rest took to single out an outlandish mariner to each of them:

And thus they subdued and brought away the vessel into Plymouth, with the captain and officers of the ship's prisoners:

The parliament order a reward to these mariners, and an act to be brought in to encourage others upon the like occasion:

That prince Rupert met with a merchant from Guinea richly laden.

7. Letters that great riches were in Dunotter-castle; the sword, sceptre, and crown; but they could not be found.

Divers Highlanders submitted to the parliament. The sails 535
of the Dutch ships were brought on shore at Leith.

A petition to the parliament from the owners and commoners in Lincolnshire fens, for satisfaction for injuries formerly done to them.

An additional act passed for sale of fee-farm rents.

9. The parliament kept a solemn day of humiliation.

10. Order for the reception of Mynheer Paw, ambassador extraordinary from the States' general.

A narrative was published of the late engagement between the English fleet and Van Trump.

The former public minister of the States presented a paper to the council of state; Dutch paper.

Taking God, the searcher of man's heart, to witness, that the most unhappy fight of the ships of both commonwealths did happen against the knowledge and will of the lords states general of the United Netherlands, and that with grief and astonishment they received the fatal news of that unhappy rash action.

That they did consult and endeavour to find out what remedy

chiefly may be applied, to mitigate that raw and bloody wound; to which end they have written to gather a solemn meeting or parliament of all the provinces, whereby they do not doubt but an help will be found out for those troubles, and a better hope of our treaty in hand; which thing being now most earnestly agitated by our lords, for the common good of both nations, to shun that detestable shedding of Christian blood, (so much desired, and would be dearly bought by the common enemies of both nations, and of the reformed religion:) we again do crave this most honourable council, and beseech you by the pledges both of the common religion and liberty, meanwhile to suffer nothing to be done out of too much heat that afterwards may prove neither revokable nor repairable by too late idle vows and wishes, but rather that you would let us receive a kind answer without further delay upon our last request.

Signed,

J. Catz, G. Schaep, Vanderpeere.

Answer. To this the parliament gave this answer:

That calling to mind with what continued demonstration of friendship and sincere affections, from the very beginning of their intestine troubles, they have proceeded towards their neighbours of the United Provinces, they

Do find themselves much surprised with the unsuitable returns that have been made thereunto, and especially at the acts of hostility lately committed in the very roads of England, upon the fleet of this commonwealth; the matter of fact whereof, stated in clear proofs, is hereunto annexed.

Upon serious consideration of all and of the several papers delivered in by your excellencies to the council of state, the parliament thinks fit to give this answer:

As they would be willing to make a charitable construction of the expressions used in the said papers, endeavouring to represent the late engagements of the fleets to have happened without the knowledge and against the mind of your superiors; so, when they consider how disagreeable to that profession the resolutions and actions of your state, and of their ministers at sea, have been, even in the midst of a treaty offered by themselves, and managed here by your excellencies;

The extraordinary preparations of one hundred and fifty sail of men of war, without any visible occasion, but what doth now appear a just ground of jealousy in your own judgments, when your lordships pretended to excuse it, and the instructions themselves, given by your said superiors to their commanders at sea, they do find too

much cause to believe, that the lords the states general of the United Provinces have an intention by force to usurp the known rights of England in the seas, to destroy the fleets that are, under God, their walls and bulwarks, and thereby to expose this commonwealth to invasion at their pleasure, as by this late action they have attempted to do.

Whereupon the parliament conceive they are obliged to endeavour, with God's assistance, as they shall have opportunity, to seek reparations of the wrong already suffered, and security that the like be not attempted for the future.

Nevertheless with this mind and desire, that all differences between the two nations may (if possible) be peaceably and friendly composed, as God by his providence shall open a way thereunto, and circumstances shall be conducing to render such endeavours less dilatory and more effectual than those of this kind hitherto yet have been.

11. Letters that the English commissioners in Scotland published two acts for the regulating of the ministers, and of the universities in Scotland, and for the proceedings in courts of justice. Scotland.

12. The Dutch ambassador, Mynheer Paw, had audience in parliament with the usual solemnities, and was to make his further addresses to the council of state, with the other ambassadors from Holland. Dutch ambassador.

Letters from general Blake of another fight at sea, between captain Peacock and captain Taylor, with two of the parliament's frigates, and two of the Hollanders, upon the coast of Flanders, upon the same account as the former, for refusing to strike their topsail; that after a short dispute, the English boarded one of the Holland ships, and took all her officers and mariners; but she was so torn in the fight that she presently sunk, though all means were used to save her, and the other Dutch ship ran herself upon the sands to avoid being taken. Fight at sea.

The parliament sent a letter of thanks to captain Peacock and captain Taylor for their gallant services.

13. Letters from general Blake, (which occasioned the council of state to sit this day,) that he having notice of a fleet of Hollanders near the Downs, he sent out a squadron of men of war to discover them, and they were twenty-six sail of merchant-men laden, with three men of war for their Blake.

convoys; all which the squadron brought in to general Blake, who had before stayed ten more of the Holland ships.

14. The commissioners in Scotland sat for regulating the ministers.

A list sent up to the parliament of the Dutch men of war and merchants' ships taken by the parliament's fleet, being in all taken thirty-six.

Ireland. 15. Letters that the Connaught and Ulster rebels being joined, took Ballishanon in Ireland by surrender; but the same day the lord president of Connaught marched on the other side of the river, which caused the rebels to go away, leaving a regiment in Ballishanon, who surrendered the town to the president of Connaught as soon as he came before it:

That they marched over inaccessible bogs; many of them took protection and came in; that they had but eight barrels of powder left; that they lost thirty commissioned officers at
536 Ballishanon, and three hundred slain, and twelve hundred more are since come from them.

That the castle of Drumah was rendered to the lord Broghill, and a strong party was sent into Kerry against Ross.

That the rebels took another castle and were pursued; that many submitted to the parliament, to whom their commissioners gave an account of their affairs, and pray the speeding of recruits.

Vote. Cromwell. 16. Vote, that the act of parliament constituting Oliver Cromwell captain general, and commander-in-chief of the armies and forces raised by their authority within England, shall extend to the forces in Ireland, as if Ireland had been therein particularly named.

That the lord general be required to appoint such person as he shall think fit to command the forces in Ireland, and to commissionate him accordingly.

Referred to the council of state to consider what commissions and powers are fit to be given to such as shall have the civil power in Ireland, and the names of fit persons to be commissioners there for that purpose, for the parliament's approbation.

The military commissions in Ireland to continue in force, till the lord general shall give further order.

This vote of putting the command of the forces in Ireland into the lord general Cromwell was contrived by his friends,

and to satisfy his ambition; but it began the distaste and grudge betwixt him and major-general Lambert, who being formerly named by the parliament to be lord-lieutenant of Ireland, and now in effect that vote by this repealed, he thought himself highly dishonoured and affronted by the lord general and his party. Lambert distasted.

Upon the other vote for commissioners to be named to have the civil power in them in Ireland, it was propounded and urged to me to be one of them, and the chief of them; and the great command and honour of that employment, with considerable profit, was used as an argument to persuade me to accept of it.

This was suspected to be a design of some ill-willers to me, who would have me sent out of the way, and rid me from my place of commissioner of the great seal; and some believed that Cromwell underhand might be forward in it, not liking my noncompliance with his pleasure in some things, and particularly in some chancery causes.

But I excused myself from undertaking this service, being no advancement in honour or profit, and that I did not like the country; and with some resoluteness of denial I got myself off from being named.

17. The general persuaded me to accept of the employment for Ireland, and highly commended the country, and the honourable employment; but I made the same excuses to him as I had done before. Ireland.

18. Letters that when the rebels stormed Ballishanon-castle, three hundred of them were slain, though but sixty men were in the castle; and at the retaking of it by the parliament's forces within ten days after, they took one thousand prisoners and eight thousand cows.

19. Letters of preparations to invade the Highlands with three brigades marching several ways. Scotland.

That a convention of the kirk was held at Dalkeith, and dissolved by the women of the town.

That fifty of the parliament's men of war went from the Downs northwards.

21. Letters of a debate in the synod at Edinburgh about drawing up of a paper, styled, "A testimony against the present encroaching of the civil power upon the ecclesiastical jurisdiction," which they took from the proclamation con- Kirk prerogative.

cerning the committee for visitation of the universities, and declaring that they will remove scandalous ministers; which hath highly incensed them, those proceedings being special flowers of their kirk-prerogative, that ought to be managed only by themselves; and they concluded their declaration:

That in the synod in Fife they made a protestation against the public resolutions of the civil power:

That two French frigates took two or three English ships upon the Scotch coast:

That the king of Scots was transacting with the Dutch about their fishing in the narrow seas, and had offered them large privileges:

Sir George Ascue.

That sir George Ascue came with his fleet of eleven men of war from Plymouth into Dover Road, and after he had saluted general Blake with all his guns, and the whole fleet returned him the like salutation, sir George came aboard the general and all his captains, and dined with him.

These salutes of the guns gave the country an alarm, so that they flocked to the sea-side expecting a fight; that the parliament's navy was above one hundred men of war.

Two regiments shipped on board the navy.

That the Dutch ships forbear to come through the narrow seas, but put into ports of France, and go home by land.

22. An act passed for transferring the powers of the committee of indemnity to the committee for compounding.

Register.

A petition touching registering conveyances, upon which an order for bringing in the bill for that business.

23. It was particularly given to me in charge to prepare for the debate with the Dutch ambassadors upon the treaty for maintaining the right of the commonwealth in the dominion of the British seas.

Kirk tumults.

25. Letters of the synod's meeting at Perth, and citing the ministers and people, who had expressed a dislike of their heavenly government; that the men being got out of the way, their wives resolved to answer for them.

And on the day of appearance, one hundred and twenty women, with good clubs in their hands, came and besieged the church where the reverend ministers sat.

They sent one of their number to treat with the females, and he threatening excommunication, they basted him for his labour, kept him prisoner, and sent a party of sixty, who

routed the rest of the clergy, bruised their bodies sorely, took all their baggage and twelve horses:

That one of the ministers, after a mile's running, taking all creatures for his foes, meeting with a soldier, fell on his knees for quarter, who, knowing nothing of the matter, asked the black-coat what he meant:

That these conquerors having laid hold on the synod clerk, beat him till he forswore his office:

That thirteen of the ministers rallied about four miles from the place, and voted, that this village should never more have a synod kept in it, but be accursed; and that although in the years 1638 and 39 the godly women were called up for stoning the bishops, yet now the whole sex should be esteemed wicked.

26. Letters that a pinnace of forty ton being to be launched 537
was by the seamen and soldiers drawn six miles over land:

That the lieutenant-general was sat down before Ross in Ireland; that the Connaught and Ulster forces were very numerous, and colonel Reynolds and Venables in pursuit of them.

28. Letters of the great fire in Glasgow, which burned most part of the town; and the ministers preached, that this was for their compliance with the sectaries:

That by thunder and lightning, on the last Lord's day at Church-Lawton in Cheshire, eleven persons during the sermon were struck dead in the congregation.

Much hurt was done at Greenwich by storms and a strange Storm.
kind of hail, and a ship coming up the river there had her mast quite taken away, and her sails and tackle torn; several boats were turned over, and many people drowned.

The thunder and lightning burnt a barn in Essex, and the steeple and much of the church, and melted the lead and bells at Okenden.

29. A petition to the parliament signed by many thou- Petition.
sands, setting forth the miseries of the war endured by them, in hopes that their rights and the fundamental laws (formerly corrupted by the king with his instruments, the clergy, lawyers, and statesmen,) would be restored, as was promised by the parliament and army, whereupon they were invited to assist them. They pray,

1. That no man be attached, &c. but according to the old law

of the land; and whatsoever hath been done contrary thereunto by committees, courts-martial, high courts of justice, or the like, may be abolished.

2. That no man be put to his defence but by presentment of faithful men and lawful witnesses face to face.

3. That no man be compelled by oath to answer against himself.

4. That all suits may be determined without appeal by a prefixed time, in the hundred or county courts by juries, and no more tedious travelling to London, nor vexation and consumption of men's estates by the chancery and other courts of Westminster, nor further attendance upon committees, nor long imprisonments; that malefactors may have speedy trials; that bail may not be denied where it ought to be taken; that food and necessaries may be provided for prisoners at the common charge, and no fees taken by gaolers; that all proceedings in law may be free from the parties to the officers.

5. That punishments may be proportioned to the offences; that nothing be deemed treason but what tends to the subversion of fundamental liberty; and that in criminal causes the parties damnified may be satisfied out of the estates of the offenders, and not confiscate to the commonwealth, and that witnesses may be sworn for the accused as well as for the prosecutor.

6. That none be questioned or molested for matter of conscience or religion, the grounds of implacable trouble and the very spawn of tyranny and superstition, and that tithes sprung from the same root, and tending to the same ends, and to the obstruction of tillage and industry, may also cease, and no enforced maintenance imposed in the place thereof.

7. That copyholds and the like, and the court of wards, and unjust descents to the eldest son only, the principal remaining badges of the Norman conquest, and main support of regal tyranny, may be taken away.

8. That there be no imprisonment for debt, but all estates be made liable to make satisfaction, nor the rich turn prisons into places of protection.

9. That none be pressed for war, the power of counties being sufficient to suppress all insurrections and foreign invasions.

10. That trade be free, and exempt from monopolies and disburdening customs, excise, and all charges, and all public moneys to be equally raised.

11. That all sheriffs, justices, coroners, constables, and the like, be annually chosen by those of the place.

12. That all laws contrary to these fundamentals be repealed.

13. That parliaments or common councils of England may be re-

turned to the old course, to be annually elected, and satisfaction given to the nation in point of accounts and the public faith satisfied, arrears of soldiers paid, juries duly chosen, registers appointed to ascertain all mortgages and sale of lands, care taken of the poor, and waste places assigned for them, the printing presses set at liberty.

Votes in answer to Dutch paper.

The parliament debated the business of the Dutch ambassadors, and passed these resolutions to the ambassador in answer to his papers:

1. That the lords the states general do pay to this commonwealth the charges and damages they have sustained by their attempts.

2. That upon payment or securing thereof shall be a cessation, and their ships and goods released.

3. This being assented to and put in execution, the security for the time to come to be a firm amity and interest of the two states, for the good of both.

The parliament received another paper from the Dutch ambassadors, that they were commanded home, and desired audience to take their leaves, which was appointed to morrow.

A letter from the king of Denmark's ambassadors for audience: they were appointed to have it the next day but one.

Dutch ambassadors.

30. The Dutch ambassadors had audience in the house with the usual ceremonies. The lord Paw made a Latin oration, which he gave in writing to the speaker, with a petition from the merchants of the intercourse; they went all away this night.

Letters from Amsterdam that the Dutch are very high against the English and for a war with them.

The ambassadors having received the last resolutions of the parliament of England, demanding satisfaction for all their damages, it gave such a distaste to their excellencies, that they presently resolved, according to their instructions, to return home, and went to Gravesend this day; and many letters came from Holland, mentioning the great preparations there made for the war at sea.

July 1652.

1. Much discourse was upon the departing of the Dutch ambassadors; some members of parliament being unsatisfied

with the dismission of them, and that so high terms were insisted on by the parliament.

2. Letters of eight hundred Irish come in, and many thousands of them stand out because they cannot be pardoned for their murders:

Hewson. Ireland. From colonel Hewson of his proceedings, and that an ambush being laid by the Irish for a captain of the English and colonel Pretty, he escaped, and a party sent out by colonel Hewson killed four of them, released their prisoners, and took divers rebels and sixteen horses:

That another party sent out by him killed forty of the rebels, and took thirty good horses. That colonel Hewson denied to give or take any quarter with them:

538 That Slego was surrendered, and that sir Thomas Jones killed two colonels, ten captains, and three hundred of a party of three thousand of the rebels, and took all their horse.

3. Letters of the English forces gotten into the Highlands; of ships come into Leith with provisions:

Of several late successes in Ireland:

That the enemy burnt Portumney town, and colonel Ingolsby relieved them, and routed all their horse, and surrounded their foot in a bog:

That the Irish were in the field with about four thousand men; that the lord Broghill did good execution upon the Irish and pursued them four miles, took one hundred horse and two hundred beefs:

That the lord Muskerry was come in to the parliament with his forces:

Blake. Ascue. That general Blake with a gallant fleet went northwards, and left sir George Ascue to command the rest of the fleet in the Downs, who took five Dutch merchantmen, and general Blake took two men of war, and two merchantmen: five hundred soldiers sent on board sir George Ascue:

That after this, sir George Ascue and the fleet with him met forty Dutch ships, took seven of them, and burnt four; and about twenty-four of them ran on ground on the French shore, and he pursued the rest; and this fight was gallantly performed by him after so long a voyage which his ships had gone, and were very foul.

5. Letters from the parliament's commissioners in Ireland, that sir Charles Coot and colonel Reynolds had reduced Slego; that the lord Clanrickard had sent for a treaty, and that the lieutenant-general had routed a party of the enemy and marched towards Ross; that the lord Muskerry sent for another treaty; that the lord Broghill took eighty horse, killed about fifty, took lieutenant-colonel Supple, and two colours and arms; yet the Irish were double his number, and he regained two hundred cattle: Ireland.

Of recruits come into Ireland.

6. A declaration passed concerning the differences of England with the Netherlands.

Letters from sir George Ascue of his fight with the Dutch, who were forty merchants and four men of war; he took seven of them and burnt three, and few that ran on shore escaped; that the French defended them from the English, yet, coming on board their ships, plundered them: Ascue's sea fight.

That captain Wright made a gallant fight with one of them, and forced him on shore, and burnt him; and captain Wright lost eight men and above twenty wounded; and captain Wright himself lost his leg with a great shot, and few or none of his officers but were wounded:

That of those Irish who submitted not a fourth man laid down their arms.

9. Letters of recruits sent for Ireland:

That some of the parliament's forces were marched twenty miles into the Highlands, where the country of the Fraziers all (except one inconsiderable person with a few people) came in and submitted to the parliament: Highlands.

That general Blake, with a fleet of sixty sail, passed in sight of Dunbar towards the north, to attend the Holland busses, and sent for the frigates and parliament's vessels in those parts, who went to him: Blake.

That the Scots reported the Dutch to have taken twenty-five sail of the parliament's ships in a fight there:

That divers barks were come in to Aire with provisions for the parliament's forces, and four frigates, and several small vessels come thither for their assistance.

10. Dr. Winston, a physician, in the beginning of the late troubles, by leave of the house of lords went over into France, and there continued till very lately that he returned into Dr. Winston.

England; in his absence, none being here to look after his business for him, his estate was sequestered, as if he had been a delinquent, and his place and lodgings (as physic professor in Gresham college) were taken from him, though he had never acted anything against the parliament, but had been out of England all the time of the troubles; whereupon applications being made to the committee of sequestrations, an order was procured for his being restored to his place and lodgings in Gresham college, and the sequestration of his estate, which was 500*l.* per annum, was also taken off.

Letters of the Dutch preparations for sea, and the petitions of many of their people to have letters of mark against the English:

That about sixty sail of their men of war shewed themselves to sir George Ascue's fleet, but attempted nothing.

12. Letters that some eminent Scots in the Highlands have submitted to the parliament of England:

That there wants English ministers in Scotland:

From Yarmouth, that the Hollanders have one hundred and eighty busses at sea, and sixty men of war for their guard; that general Blake was near them:

That Van Trump was seen in the Downs with about one hundred sail of ships nearer to sir George Ascue:

That Mynheer Schaep sent to the parliament thanks for their civility to him; and that the States sent to forbid their fleets from taking any more of the ships of the parliament.

13. Upon a report from the council of state the parliament voted,

Fleetwood. That lieutenant-general Fleetwood do command in chief the forces in Ireland under the lord general, and that he be one of the commissioners for the civil affairs of Ireland.

Votes concerning the satisfaction of public faith moneys by taking lands forfeited in Ireland.

Referred to a committee to consider what cathedrals are fit to stand or what to be pulled down, and how such as shall be pulled down may be applied to the payment of the public faith.

Debate upon a bill for sale of forfeited lands, and upon another bill touching receivers, &c.

Ascue. Letters that the Dutch appeared with a fleet of one hun-

dred and two sail of ships, and ten fireships, near sir George Ascue, intending to intercept some ships coming to him out of the river, to whom sir George sent to stay there; that a squadron of forty of the Dutch ships came up to sir George within a league of him:

That two platforms were planted by Deal-castle, to fall upon the enemy if they came near, but upon changing of the wind they all steered away again.

Many debentures forged, upon which purchasers were cheated. That the charge of the survey of a manor came to 255*l.* 12*s.*, being two hundred and twenty-six sheets of paper, and the value of the manor but 300*l.* per annum, and a life allowed upon it; so at six years' purchase the reversion came to but 1800*l.*, whereof half was in doubled money; and that with fees and charges of conveyances &c. took off three parts of the purchase money. Ireland.

16. Letters of the agreement by lieutenant-general Ludlow with the lord Muskerry and the forces in Munster to submit to the parliament, and Ross to be surrendered to them.

That the earl of Clanrickard and the lord Musgrove were come in; that the lord Slain was taken the last week by colonel Stanley, and most of those with him killed; and not a considerable party of them left, and none of them have quarter given them. 539

17. Letters that the fleet could get no further than Aberdeen by reason of the contrary winds:

That colonel Overton, with his regiment and three troops of horse, and two troops of dragoons, sailed to Ostold, and took in a strong castle in Argyle's country: Scots.

That the grandees and chief gentlemen round about the Highlands were come in to the parliament of England; that many of the soldiers were severely punished for straggling and plundering:

That general Blake had taken three or four of the Dutch busses and one man of war, and sent them up.

19. Letters of several garrisons settled for the parliament of England in the Highlands; that six hundred Highlanders were up in arms; that the lord Glencairn and divers of the chief of the clans were come in to the major-general; that the people generally speak Irish; go in their plaids about

their middles, both men and women; and their houses (except a few of stone) are only of earth and turfs:

That the English forces in the Highlands were careful to do no wrong to the inhabitants nor to their corn; most of them went from their houses, as they use, to depasture their cattle, and return not till harvest; that the English could get nothing from them for their money:

Dutch fleet. That the Holland fleet were exactly numbered to ninety-two ships, whereof six were fireships, and three galliot hoys, and about ten small frigates about eight or ten guns apiece; about twenty of them were good and firm ships of about thirty or forty guns; the rest of the ships of a middle size; that four ships more were come to them out of Zealand:

That upon the north of Whitby the Dutch fleet was met of about one hundred and seven sail, and that they said they lay to find out the English fleet:

That twenty Dutch men of war were plying up and down by Southwold-bay, and eighty more of the Dutch discovered.

Letters pretended from Van Trump to his friend at Rotterdam, that the English fleet being assaulted by him, some threw their guns overboard, others cut their cables, and all fled, and that he had taken forty of them:

That new letters of mark were granted by the States against the English.

20. An act passed for relief of double assessments.

Debate upon the act for sale of forfeited lands.

23. Letters of pirates from France infesting the coast about Scilly:

Ascue. That sir George Ascue, with his fleet of fifty sail, went from the Downs westward to attend the Dutch fleet; that Van Trump was about Newcastle, and chased two English ships, who ran themselves on ground to avoid being taken by the Dutch; one of which they fired, and the other they waited for till the sea came in and carried her away:

Highlands. Of the difficulties passed by the English forces in the Highlands; the extremities there both of heat and cold at this time, scorching of the sun, and yet snow upon the mountains to cool them; that the inhabitants faced them continually; that venison is plenty there, though mutton be dear; and the springs better than sack at Leith:

That the horsemen are apt to ride over the tops of their houses:

That the army had four hundred baggage horses, led by the countrymen, laden with bread and cheese; that they guarded their horses from the corn.

24. Letters that general Blake had taken one hundred of the Holland busses, and in them fifteen hundred men; the rest secured themselves in Bressies-bay in Scotland. Blake.

26. Letters of a declaration presented to the kirk assembly at Edinburgh: Kirk.

Of the Lord's dispensations towards that land.

That the ordinances of Jesus Christ have been prostituted to a profane mixed multitude; the church impure.

That none should be admitted members of a church but such as with a profession of truth join such a blameless and gospel-like behaviour, as they be esteemed in a rational judgment of charity believers, and their children: that such were the churches formed by the apostles.

Rom. i. 7. *Beloved of the Lord, called saints*, and Rom. v. 8. and 1 Cor. vi. 18. to the whole church; and ver. 19. and 20. the exhortation is to all the church; and their faults were sins incident to saints, though justly reproveable, and 2 Thess. iii. 15. yet are they to be esteemed brethren.

Matth. iii. compared with Luke vii. 30, show that John the Baptist would not admit the Pharisees to be baptized.

That we are under a snare by our sinful mixture, 1 Cor. x. 16, 17. and 2 Cor. vi. 17. *Touch no unclean thing*, ver. 14, 15.

No hope of purging the ministry, elderships, or presbyteries;

Nor can a rule for it be agreed upon.

That the congregational way comes nearer to the pattern of the word than the classical form, and that the congregation hath full power of judging in themselves: Matth. xviii. 15—18. power of binding and loosing.

The elders, with a congregation or without, cannot be called *a church.*

Acts xv. 22, 23. and xiv. 23. acceptation of the word *elders.*

The church congregational is the first judicatory, and have the power of binding and loosing. The power of elders only is dogmatical.

That for the first three hundred years the church was partly aristocratical.

Take heed lest ye be snares to the people of God in the land;

and do not censure us for following our own light and consciences in this great matter of concernment to us.

Highlands. 27. Letters that the English soldiers in the Highlands were healthful, and civilly treated by the inhabitants upon command of the marquis of Argyle, who also entertained the colonels with much state:

That the country is very mountainous, yet the valleys rich; the people simple, and ignorant in the things of God, and some of them as brutish as heathens:

That some of the inhabitants did hear the English preachers with great attention and groaning:

Dutch fleet. That the Holland fleet was still off about Newcastle, about a hundred and five ships; not many of those strong and serviceable, but weakly manned; their men die fast; their victuals short, already at half allowance:

That the Dutch took several English vessels, and made their men serve under them.

540 28. Order for the commitment of the earl of Worcester, being come into England without license, and for bringing him to his trial.

Referred to the council of state to take care for prevention of breaches of the peace.

Queen of Sweden. Letters from the queen of Sweden to the parliament read, wherein she subscribes herself *Vestra bona amica, Christina.*

Referred to the committee of the army to receive any propositions for easing the charge of the commonwealth, and to report them to the house.

29. Letters that the Dutch fleet seized divers English fishermen and other small vessels, and forced their men to serve in the Dutch fleet.

Scots presbyterians. Letters that the presbyterian spirit in Scotland blows higher, and equally storms against the papists and sectaries; that the independents endeavour to settle a freedom there from the tyranny of the presbyterian classes and prelatical high commissioners, not excluding moderate dissenters from church government from a share in the advantages of government:

Blake. 31. That no intelligence could come from general Blake, being so far to the northward, and the Dutch fleet between him and home; but by letters from Holland to several mer-

chants, and to Mr. Strickland, the parliament's late agent there, they write,

That general Blake had fallen upon the convoy to their fishing busses, which were twelve men of war, and had sunk three of them, taken the other nine, seized upon their fishing busses, and unladen what fish they had taken, but afterwards dismissed their fishermen, and sent them home:

That he had taken three Dutch merchantmen, richly laden, coming from the East Indies:

That general Blake having dispersed and dismissed the Dutch fishermen, was, upon his return homewards, and near the Dutch fleet, ready to engage with them:

That sir George Ascue went to the westward with his fleet to convoy and bring to Plymouth five of the English merchants' East India ships; which he did; and nothing was attempted against him by the Dutch. Ascue.

August 1652.

2. Letters that the lord Argyle kept his word in the entertainment of the parliament's forces in the Highlands:

That some of the brotherhood in Scotland were up in arms, and gainsaid the major-general in his approaches to them:

Of several places in the Highlands garrisoned by the parliament's forces:

A protestation of divers ministers in Scotland, to the ministers and elders met at Edinburgh, desiring a conference about reconciling differences, and against insufficient, scandalous, and corrupt ministers in the kirk: Kirk.

From general Blake to the parliament, with a list of the Dutch men of war taken by him, who were to convoy the fishermen, in all twelve ships, two of which were since sunk: Blake.

From the commissioners in Ireland, that of the lord Muskerry's party three thousand foot and seven hundred horsemen mounted, three hundred unmounted, have brought in their horse and arms; and the lord Muskerry himself intends to go for Spain, and to carry with him a thousand men, and to return again if he can obtain any considerable command:

That a party of rebels is still in Kerry, against whom sir Charles Coot is marched; that the earl of Clanrickard and the forces under him being beaten from their fastnesses by Ireland.

sir Charles Coot and colonel Reynolds and colonel Venables, and by planting some garrisons, and securing some passes, could not continue longer in a body together; so that the earl and his party have come in and submitted, and have leave to transport five thousand men:

An acknowledgment by the officers of the army of the parliament's care in sending provisions to them.

3. Letters of a conference of the commissioners with the officers of the army about receiving some of the Irish into protection.

4. The act passed for sale of lands forfeited, with the names of the persons whose estates were to be sold.

Blake. Letters that general Blake was coming southwards, and had sent six of the twelve Dutch men of war to attend major-general Deane in Scotland; that divers Dutch were slain and wounded, and some of the English and nine hundred Dutch prisoners; that general Blake had but eight frigates in this action against twelve Dutch:

That lieutenant Matthews was robbed by his own servant of 300*l.*

Ireland. 5. That sir Theophilus Jones sent out to get some provisions, was met with by a far greater party of the enemy, who engaged with him; but sir Theophilus killed three hundred of them, took some prisoners and a colonel, a lieutenant-colonel, two majors, and eight captains, besides inferior officers were slain, and he lost not one officer: one lieutenant was wounded and sixty common soldiers with sword, but not one man of the English slain:

That colonel Venables rescued many cattle; pursued a party of sixty tories, left but six or eight of them, and drove others to the mountains; that the Ulsters desired a treaty.

6. Letters of a soldier executed for running away from his colours:

Of pirates on the western coast, and not a small vessel escapes them; that they have thirty-six oars:

7. That the Scots ministers could not agree at Edinburgh:

That divers gentlemen in the Highlands subscribed to act nothing prejudicial to the commonwealth of England, and submitted to it.

Highlands. 9. Letters that the major-general had found out a valley between Mar and Athol, which would keep fifteen hundred

horse for fourteen days, and therefore would stay longer in the Highlands, and had sent a summons to Clankerry and his forces, about two thousand men, to come in to him:

That Van Trump, with a hundred and twenty sail of ships, was upon the coast of Aberdeen, and took an English ship worth 2000*l.*, and detained all the men; that he had five fireships, five galleys for intelligence, and a hundred and fifteen men of war: Van Trump.

That general Blake was come near to Van Trump:

That the earl of Glencairn and divers gentlemen were with the major-general, who punished divers soldiers for pillaging:

That the French had taken an English ship of three hundred tons:

That sir George Ascue took four prizes, French and Dutch, and brought in four English ships. 541

That Zealand and Amsterdam petitioned the States to give commissions to prince Rupert and his fleet.

10. Order of parliament for a day of public humiliation.

A bill read for the settlement of Ireland.

An act passed to enable the judges of the northern circuit to hold assizes at Durham.

Referred to the lord mayor, aldermen, and justices of peace of London, to examine what lead had been taken off from St. Paul's church, and to prevent the taking away any more. St. Paul's.

Letters that general Blake was off at sea near Scarborough; and that forty-four Dutch ships were near Rye in Sussex:

That the new committee of sequestrations in Hertfordshire make void the former leases of sequestered lands, contrary to right.

11. Letters that Van Trump by a storm at sea had the greatest part of his navy lost and spoiled, and came home with but forty ships, sixty men of war missing, and two of their East-India ships cast away. Van Trump.

12. An act passed for settling the affairs of Ireland, for satisfaction to the adventurers and soldiers out of lands there, and for provision of maimed soldiers, and for the widows of soldiers slain in the parliament's service there, and a list of the persons excepted from pardon.

13. A petition from the officers of the lord general's army, Army petition.

reciting that they had often sought the Lord, and desire these particulars to be considered:

1. That speedy and effectual means may be used for promoting the gospel, profane and scandalous ministers be outed, good preachers encouraged, maintenance for them provided, and tithes taken away.

2. For regulation of the law, and what the committee for it have propounded may be debated, and encouragement given to them.

3. That profane, scandalous, and disaffected persons in all places of authority may be removed by act of parliament, and well-affected persons put in, and all to be such as fear God and hate covetousness.

4. To redress abuses in the collecting and managing of excise.

5. That public faith debts be justly satisfied, and first to the poorer sort, and before any more of the public revenue be given away to particular persons.

6. For stating the accounts and satisfying the arrears of soldiers, and care for maimed soldiers, and widows and children of soldiers slain.

7. That all articles of war given to the enemy may be made good.

8. That the public revenue may be brought into one treasury, with officers to be appointed by parliament, and their receipts and disbursements published half yearly.

9. That a committee may be appointed out of the house, to consider of unnecessary offices and salaries.

10. For setting the poor to work, punishing beggars, and providing for the impotent.

11. For liberty in corporations for those who have served the parliament to use manual occupations.

12. For qualifications of such as shall sit in future parliaments.

Answer. The speaker from the parliament returned to the petitioners the hearty thanks of the house, for their great care and love to the public.

Many were unsatisfied with this petition, looking upon it as improper, if not arrogant, for the officers of the army to the Cromwell. parliament their masters; and in discourse of it with Cromwell I advised him to stop this way of their petitioning by the officers of the army with their swords in their hands, lest in time it might come too home to himself; but he seemed to slight, or rather to have some design by it, in order to which he put them to prepare a way for him.

Letters of the ships come with arms, ammunition, and men, which were feared to have been lost.

That the major-general was retreated to St. Johnston, wanting provisions to continue the pursuit of the thievish Highlanders.

Of the Highlanders generally submitting to the parliament of England.

That the Hart frigate fought with three Dutch ships, but was taken by them.

14. Letters that the Dutch fleet that appeared near the Goodwin Sands caused the Kentish men to be up in arms, lest they should land:

That a Portugal ambassador was arrived at Plymouth:

From general Blake to the council, that he was safely ar- Blake.
rived with his fleet from the northward:

Of a Dutch private man of war taken after a sharp fight, sunk by two English ketches.

15. Letters to the council of state of general Blake's standing off to the coast of Holland to look after the Dutch fleet, who were gone off from the coast of Sussex.

16. Letters that the commissioners for the several counties in Scotland were to meet at Edinburgh, to choose commissioners to attend the parliament of England:

That the assembly of the kirk at Edinburgh agreed upon Kirk.
an act and overture of the general assembly, for the peace and union of the kirk, with a letter to the nobility and gentry, and all other wise and pious persons to promove the same.

17. Vote for transportation of all commodities to the parliament's quarters in Ireland, custom free.

Referred to the council of state to send over preachers into Ireland and to give them salaries.

Referred to the commissioners in Ireland to provide for maimed soldiers and widows there.

Addition of names to the bill for sale of forfeited lands.

Letters of a fleet of Dutch ships upon the Sussex coast, who took and plundered some English fishermen; that the country thereabouts fired their beacons.

18. That forty-two of Trump's scattered ships were safe at Shetland, and the two East-India ships, supposed to be lost.

That sir George Ascue and the Dutch fleet were engaged Ascue.
about Plymouth, and there had passed between them two or three thousand shot.

19. Letters that Argyle promised to go and submit to the parliament of England.

Fight. 20. Letters that sir George Ascue was engaged with eighty sail of the Dutch near Plymouth, as captain Pack related, who was brought off in a ketch, having his leg shot off; that two hundred men went from shore cheerfully in their boats to relieve sir George Ascue:

That the Hollanders lost two ships, one sunk and the other burnt, and got away to the French shore; that the fight was very hot, and the English lost some precious men; the fight continued four hours, and the night parted them:

That sir George Ascue lost twelve men, and received sixty
542 shot in his hull; that the Dutch had fifty-five men of war and fifteen merchantmen in this engagement, and sir George Ascue much fewer.

21. Letters of fishermen taken by the Dutch, and some cleared by the admiralty of Amsterdam:

That sir George Ascue continued three days fighting with the Dutch; that one hundred of his wounded men were sent into Plymouth, and five hundred men went from thence to recruit his fleet.

23. Letters of divers clans in the Highlands come in to colonel Overton.

That some Highlanders waylaid captain Powel in a narrow pass, but he brake through them, and the country rose upon others, took their captain, and brought him to colonel Morgan.

24. An act passed for stating the accounts of the officers and soldiers in Ireland.

Committee for Ireland. A commission passed for managing the affairs in Ireland: the committee were the lord general Cromwell, lieutenant-general Fleetwood, lieutenant-general Ludlow, Mr. Corbet, colonel Jones, and Mr. Weaver.

Ascue. Letters that sir George Ascue, by advice of his council of war, went after the Dutch fleet to the coast of France, and there engaged them, who were ninety sail of ships, thirty of them merchantmen, who left their fleet upon the beginning of the engagement.

That sir George had but thirty-eight sail and four fire-ships and four scouts; that he and four others charged through the whole body of the enemy's fleet, and received many shots

in their hulls, masts, sails, and rigging, the enemy's design being to spoil them; but sir George tacked about and weathered them, and charged them all again, and so continued engaged till dark night:

That he lost but one fireship, which set herself on fire, being ready to sink, and saved her men and turned her among the enemy; that the Dutch admiral was sunk; that the next day the English fleet kept sight of the Dutch fleet, but would not engage upon the French coast, but went to the northward, to repair their ships.

26. Letters of some ships with coals come into Yarmouth for London:

That general Blake was sailed towards sir George Ascue, and had taken two Dutch ships laden with victuals, and sir George had taken two more laden with salt and strong water. Blake.

27. Letters that the commissioners from the shires in Scotland had chosen twenty-one men, fourteen for to represent the counties, and seven the boroughs, to attend the parliament of England: Scotland.

Of forts made in the Highlands by the English soldiers, who wrought hard in them; of two chiefs of the clans standing out there, and of the obstinacy of the kirkmen:

Of strange apparitions in the air at Dalkeith, shapes of men clashing together as in a skirmish, a great light in a circle.

28. Letters of five pirates about the Land's-end, who have taken many English vessels prizes:

That captain Hind, the famous highway robber, was condemned at the assizes:

That general Blake had taken six Dutch prizes, and was commanded back to the Downs, and had sent six frigates to sir George Ascue: Blake.

That general Blake took two more Dutch prizes; one of them fought single with captain Stoaks three hours before she did submit.

Of another rich prize taken in Wales.

Order for an act of payment of debts by public faith, and for another to prevent mischiefs to persons barred from relief in equity, by pleading outlawries.

A committee appointed to receive petitions, and consider

which of them are fit for the house, and which proper for courts of justice.

Pen. 29. Letters to the council from captain Pen this Lord's day, of his taking six Dutch ships prizes richly laden; one of them thirty guns; yet none of them struck a stroke to defend themselves.

30. Letters that the major-general in Scotland resolved to turn every stone, rather than to strike, to get in the Highlanders.

That about forty sail of Dutch men of war on the Scotch coast took some English vessels; that five of their men of war were cast away by a late storm, and two East India ships lost their masts.

Complaint. Complaint of corrupt magistrates, and of ignorant and scandalous ministers abounding in Herefordshire and other places; that the Lord will destroy the parliament's party, (as the writer fears,) by permitting a combustion within their own bowels, and letting in a foreign enemy, and do his work by others more honest.

That the scouts sent out to discover the Dutch could not find any of them.

Virginia. 31. Articles of surrender of the plantation of Virginia into the hands of the parliament, read and confirmed, and an order for a patent to be granted to them.

An act passed for setting apart a day of public humiliation.

September 1652.

1. Letters of many English and Dutch going on foot to London, their ships taken by general Blake or by Van Trump.

2. Order for all the members of the house to meet to morrow to keep the thanksgiving day.

An act for calling home seamen from foreign service ordered.

Order to reserve from sale Scilly islands and Chatham dock, &c.

The committee met for receiving petitions, and considering which were proper for the parliament, and which for courts of justice and other places, that things might move in their right channels; and to take off particular causes from parliament.

3. Letters that the major-general had concluded amicably with the marquis of Argyle, and the English were returned from the Highlands of Scotland, and in their march the Highlanders, about fifteen hundred, were got together at a pass, where they stood upon rocks and inaccessible ground, and the English could only file over: Highlands.

That they pretended to inquire whether the marquis of Argyle were prisoner, though they knew he was not; the English advanced one by one over the pass, and the Scots stood every way prepared to take their advantages upon them, yet had not the power or spirits to do it:

That the English drew up close to the Scots, till all their rearguard was passed over, and then marched and encamped a mile from them, and heard no more of them till they came to Dunbarton; and there the major-general came to them, and told them, that since their march away the Scots had 543 surprised two of their garrisons in the Highlands:

That the Highlanders took in Turbet-castle, (which was yielded to them by lieutenant Gillot,) ten barrels of powder, with match and bullet, five thousand weight of cheese, and twenty-six bags of biscuit:

That they seized upon forty English foot, pretending that they did it because their marquis of Argyle was carried away prisoner, which they knew was not so; but they used the prisoners very civilly.

4. Letters that the six frigates sent from general Blake to sir George Askue were fitted to go to him; and that sir George was ready to set to sea again:

That the Dutch have fifty sail more of ships to join with their fleet; that they took three English ships near the Sound, one of which was retaken by a parliament frigate; that eighteen of their frigates were appointed for guard of the northern coast. Dutch fleet.

6. Letters of settling the winter quarters, and delivering out provisions to the forces in Scotland:

Of a regiment of foot disbanded in Scotland, and some troops ordered for England, to lessen the charge:

That Van Trump desired to be excused from going to sea, and that de Wit was appointed by the States to command in chief their navy; that they had not half men enough to man their fleet: De Wit.

Denmark. That upon a petition of the English merchants at Elsenore the king of Denmark received them into his protection; that fourteen of the English ships going away, the Dutch followed them into Elsenore road, and took away one ship and a ketch of the English there; another English ship got under the castle; that the Dutchman coming back with his prize from the Baltic sea by the Sound, the English ship, who had formerly escaped him, stood off, and rescued his fellow again:

That the Dutchman attempted again to board the English ships, but the king of Denmark's castle defended them, and shot the Dutch ship through and through, and she stole away in the night.

7. An act passed for allowing the debentures of the northern officers, and for securing them out of the king's lands.

Order for sir John Winter, prisoner in the Tower, being sick, to have his liberty upon security to be taken by the council.

The bill for sale of forfeited lands recommitted upon debate.

A committee to consider how obstructions of trade from Germany may be removed.

Ireland. The act passed for constituting commissioners for Ireland.

Letters of a strong fort of the rebels surrendered upon articles to colonel Zanchey, who lost three hundred of his horses by sickness:

That several of the Irish commanders were shipped away with one thousand and five men:

Of the plague in Ulster, and great sickness among their horses:

Blake. That general Blake took seven French men of war, supposed to be bound for relief of Dunkirk; that forty Dutch ships were seen near the Ness point.

Wales. 9. Letters that since the act for propagating the gospel in Wales there were one hundred and fifty good preachers in the thirteen Welsh counties; most of them preached three or four times a week:

That in every market town there were placed one schoolmaster, and in most great towns two schoolmasters, able, learned, and university men:

That the tithes were all employed to the uses directed by the act of parliament:

1. To maintain godly ministers.
2. Schoolmasters.
3. The fifth part to the wives and children of the ejected clergy.
4. To pay taxes.
5. To pay the officers.

Of divers of the rebels submitting to the parliament:

That the Irish, though double and treble in number, would not fight with colonel Venables, but got into bogs and fastnesses, and were full of divisions among themselves; that his horse being tired out, he consented to a treaty, but it broke off, because colonel Venables would not consent to pardon murder and robbery. Ireland.

10. Letters of a Danish ship come into Inverness laden with deal, and related that a great part of the Dutch fleet was cast away by storm upon the coast of Shetland:

That some thousands of the Highlanders were up in arms in the lord Argyle's country, yet he pretended ignorance thereof; that relief was sent by sea to the parliament's garrisons there:

That the judges newly made and sent from England went their circuits in Scotland. Judges' circuits in Scotland.

11. Order that the council of state do send home all the French prisoners, lately taken in their ships by our fleet, to such ports of France as they shall think fit.

An act for prohibiting all correspondence with the States General and people there, committed.

Orders about compositions of delinquents.

Letters that the six frigates sent by general Blake were fitted and come to sir George Ascue.

13. Letters of fourteen letters of mark sent from the parliament into Scotland, and that many Holland free-booters were upon that coast:

That the Highlanders sent a letter to major-general Deane, excusing their late actions through mistakes, and that they would shortly send one of their own number to him to satisfy him. He answered, that he would be ready to hear what they had to offer, requiring them in the mean time to restore all things to their former state, and to forbear all acts of hostility: Highlands.

That the gentlemen in Argyleshire sent a very submissive letter and compliment to the major-general, promising to send two commissioners fully empowered to give him all the satisfaction that can be required:

Of a garrison of the parliament's in the Highlands surprised whilst the soldiers were gone a nutting:

Dutch. That the last summer's expedition had cost the States 200,000*l.*, which was hardly raised, and soldiers sent to gather it, and the States met to set another tax of 200,000*l.*, and that the seamen cry aloud for gilt, and the people are against the war.

14. An additional act passed for sale of fee-farm rents.

Letters from the king of Denmark read in parliament, and referred to the council of state, and a letter from the queen of Sweden referred to the council.

544 Vote that Mr. Rogers be mayor of the town of Hull for a year, and that the town shall receive no prejudice thereby in their liberties.

Referred to a committee to consider how corporations may be so settled as would be most suitable to the government of a commonwealth.

An alderman of Hull discharged, and a new one named in his place by the house.

Bill. Parl. A bill for setting a period to this parliament, and providing for succeeding parliaments, committed.

Referred to the council of state to cause a convenient place in Westminster to be provided for the Scotch commissioners.

Letters of a fleet of Dutch appearing near Deal-castle of seventy sail, and that they passed westward, some of a very great force, bigger than any they had before:

That three French prizes and a Hollander of three hundred and fifty ton were brought into Plymouth; that general Blake passed by there, and sent for sir George Ascue, who came to him, and they sailed westward.

17. That one Sikes was imprisoned by the judges of York for publishing a kind of proclamation against tithes; and one man and three women sentenced for quakers, for saying, that all who preach for hire are thieves and robbers.

Order for 1000*l.* out of the excise for maimed soldiers.

Referred to the council to appoint a time for the Portugal ambassadors coming to London.

Letters of the sickness in Dublin.

Of pirates in Chester road:

That a fleet of about fifty Dutch came near Scilly; that some ketches made towards them, supposing they had been sir George Ascue's fleet; but they came back again, though pursued:

Of mischief done by the French men of war:

That general Blake was in the channel, and had taken sixteen prizes, Dutch and French merchants, before the storm parted his fleet, and ten more taken since. Blake.

18. Letters that the Dutch fleet met with some English merchants, some of them ran aground, and the others got safe under Dover-castle:

That St. Malos men seized the ships and goods of the English there, because Blake had taken some of their ships; that the French ships took several English vessels; that one hundred colliers were gone with a convoy to London.

20. Letters of the perfidiousness of the Highlanders in arms, against whom the country complain and disown them:

That the commissioners of the general assembly proclaimed a fast, with their reasons for it:

That many of the Dutch fleet were lost by storm, and thirteen of them in the Texel; that their seamen coming on shore demanded their pay; and being answered, that they must go on board again, and they should have half pay; this so enraged them, that they got together and left their ships, and were in a high mutiny: Dutch mutiny.

That the States sent out their land forces, who fell upon the seamen, killed divers of them, and dispersed the rest, and hanged up two of the chief mutineers; to see which execution a multitude of people flocked together, so that the lords feared a new mutiny, and caused the soldiers to fire upon the people, who killed eight of them, but the seamen were more enraged.

21. Letters from Blake that the Dutch fleet avoided fighting with him, and slipped from him, though more in number than he was, and so he sailed westward.

Letters that lieutenant-general Fleetwood and all his company were safe landed at Waterford in Ireland.

22. Letters that a moss-trooper at Newcastle was sent from the assizes to be tried in Scotland by a council of war:

Of several apparitions of horsemen &c. in the air.

23. Letters of a fleet of about sixty or seventy sail of tall ships near Scilly, by which they passed west-south-west, and were the Dutch fleet, who gleaned up their scattered ships.

24. Letters of the Cheshire channel so infested with pirates that it hindered the intercourse with Ireland; of provisions shipping at Chester for Aire in Scotland:

That both the northern and western Highlanders were revolted:

Scotland. That they invited thirty of the parliament's officers and soldiers to a feast, and took them prisoners, and killed ten of them:

English judges. That six hundred indictments were preferred to the English judges in Scotland.

Blake. 25. Letters that general Blake with his fleet of one hundred and eight sail passed by Weymouth to the eastward, upon an information that the Dutch fleet had given him a go-by:

That four or five of the Dutch fleet fell upon the Assurance frigate, but she got off from them, and came to general Blake, who immediately hoised sail after them, but they escaped him, who ordered his fleet to sail from the English to the French coast side by side within gunshot of one another, whereby they scoured the whole channel.

From captain Stoaks, that he had made up to two ships, and found them to have Swedish colours, but coming aboard them he discovered them to be Guinea ships laden with gold ore and elephants' teeth, and letters directed to Amsterdam and other parts of Holland:

That the captain believing the ships to belong to the Dutch brought them into Plymouth; that their lading was worth 80,000*l.*:

That four English men of war and four merchantmen were in fight with nine Dutch men of war near Genoa:

That general Blake and sir George Ascue with their fleets, in all one hundred and forty sail, were come into the Downs, twenty of them merchant ships, which he sent to London:

That three English fishermen brought to Yarmouth three Dutch busses:

That the scouts brought news to general Blake in the Downs of a great fleet of Hollanders; and he presently weighed to be in pursuit of them:

That his fleet had got the wind of the Dutch fleet, and a speedy engagement was expected.

27. Letters of animosities among the ministers in Scotland, and that their fast-day was not observed, and their divisions brought them near to fighting in the church; that the Scotch commissioners were gone for England:

Of the two Guinea ships taken by captain Stoaks, 50,000*l.* in gold in one of them, and elephants' teeth worth 10,000*l.*

Command from Blake for all seamen to come on board on pain of death.

Letters that de Wit was on the back of the Goodwin Sands with fifty or sixty sail of ships, and Blake near him:

That Blake called a council of war, who thought not fit to 545
put out to sea, it being near night; that the Dutch were all out of sight the next day before noon, standing over towards their own shore, which day proved so foul that Blake's fleet could not go to them; that they are to convoy two hundred of their merchantmen:

That a private man of war took three Dutch prizes:

That the Portugal ambassador was brought with fifty coaches into London.

28. Letters from the Portugal ambassador to the speaker read, and his audience appointed.

Referred to the council of state to take order for the building of thirty new frigates.

Order that the scaffold about Paul's be taken down, and sold, towards the payment of public faith debts.

Letters from the duke of Venice read and referred to the council of state.

Referred to the council to draw up letters of thanks to the duke of Tuscany for his civil usage of the English merchants. Duke of Tuscany.

An act passed for relief of persons upon articles of war.

30. The Portugal ambassador had his audience in parliament, and went in greater state than any ambassador that came yet to the parliament: he presented his credentials, which were referred to the council of state. Portugal ambassador.

Mr. Dennis, formerly of the king's party, being chosen mayor of Barnstable, the townsmen petitioned against him; and an act was committed for disabling such persons to be elected, or to be electors of any to public offices.

Letters of coal ships sailing towards London, having two hundred ordnance among them.

October 1652.

1. Letters of overtures made by the marquis of Argyle for composing the late business in the Highlands.

Of the sickness abated in Ireland, and that all the tories there, except five hundred in the north, had laid down arms:

That a great council of officers from all parts there was called to consult with lieutenant-general Fleetwood, now come to them.

Letters that general Blake was making what haste he could to engage about seventy sail of the Dutch by the Goodwyn.

Dutch fleet. 2. Letters of captain Bodiley near to Leghorn, with the Phœnix and other ships, fought with ten of the Dutch men of war near three days; that four of their best ships surrounded captain Bodiley, and fought him very stoutly above four hours, but he forced them to fall off, and leave her; many were shot and wounded on both sides:

That the captain of the Phœnix fought with a Dutch ship and boarded her, and the Phœnix being empty of men, who were plundering the Dutch ship, in the mean time another Dutch ship came by and boarded and took the Phœnix, and regained their own ship likewise:

That the English and Dutch fleets were in fight near the Downs:

That Blake on Tuesday last, when the fight began, took three of the Dutch men of war, and disabled three more, and chased them all Wednesday and part of Thursday, and that the fight was very hot.

Witches. 4. Letters that sixty persons, men and women, were accused before the commissioners for administration of justice in Scotland at the last circuit for witches; but they found so much malice, and so little proof against them, that none were condemned:

That Argyle had undertaken to bring in all the Highlanders, and to release all the English prisoners there:

Of a ship laden with malt and hops come into Leith.

Sea-fight. 5. Letters of the last engagement with the Dutch fleet, thus:

Since the return of our fleet out of the west upon the 14th of

September, sir George Ascue with his Barbadoes fleet set sail out of the Downs himself for Chatham, and the rest for London.

September 25. the Holland fleet appeared on the back side of the Goodwyn, but that night were driven back by a storm.

September 26, they appeared again, but were forced away by another storm.

September 27, they appeared the third time.

Upon the first appearance it was agreed upon by a council of war that afternoon to set sail the next morning.

But in the interim the weather proved so tedious, that we could not with safety weight till the 28th, and then the general with the fleet got under sail, having a fresh gale at W. by N.

At noon we discovered the Dutch, and about three in the afternoon the general, not having above three of his squadron up with him, (the rest of our fleet being a league or two astern,) only vice-admiral Pen with most of his squadron was near him,

Who demanded whether he should leave the general and bear up among the enemy ; it was answered, that we should bear in all together so soon as some more of our fleet should come up.

In this time de Wit, who commanded the Dutch fleet, consisting of about fifty-nine, all men of war, and some small vessels, left his own ship of forty guns, and went aboard the biggest of the India ships of fifty-six guns.

About four o'clock most of our fleet being come near, they gave some single shot in a bravado to our general, who bore in among them, and the vice-admiral filled to bear after him.

But it pleased God to disappoint us, being grounded upon a sand called the Kentish Knock, under which they placed themselves, that we might be necessitated to mischief in case we endeavoured the weather guage ; and heaving the lead overboard, we found we had not three fathom of water.

Our general, sailing to windward of their admiral, was on ground : the Sovereign was near musket-shot within us, and struck several times, so did the Resolution, as also the vice-admiral, even as they were engaged, and the Andrew.

But it pleased God to deliver them, that they got off immediately without any harm, and he turned it to our advantage ; because being forced thereby to tack our ship to clear ourselves of the sands, it fell out better for doing execution upon the enemy than we could have cast it ourselves.

For as the Dutch fleet cleared themselves of our general, he standing to the northward, and they to the southward, we fell pat to receive them, and so stayed by them till night parted us.

What damage we did them cannot be exactly known, and what they did us (blessed be God) was not much.

546 Three of their ships were wholly disabled at the first brunt, having lost all their masts, and another, as she was towing off the rear-admiral, was taken by captain Mildmay; and the second day they were many less in number than the first.

The rear-admiral and two other captains are prisoners, who say, they conceive by the striking of de Wit's Antient, and the putting forth another of a blue colour, that he is slain.

We have not above forty slain in all our fleet, whereof one officer, captain Jervis, and not many wounded; we lost not one ship or frigate, nor did any vessel shrink from their work; the merchant-men of war fell to it to purpose, and a great spirit of resolution and gallantry possessed our whole fleet.

Our tackle and masts were somewhat shattered, as is usual in such disputes; at first our enemies appeared very resolute, having placed themselves in a fighting posture before our ships came up, divided into three squadrons, and behaved themselves very stoutly, but seemed to flag towards the latter end; and, I believe, if Providence had allowed us one hour more, we had made a total end of them.

After this they abode all night (as we perceived by their lights) at a small distance to leeward of us, which made us suppose they would have fought us next morning; but then, as the day broke, we saw them north-east, more than two leagues off us; we bore up to them, but the wind coming contrary, so that they had the wind of us, we could not get up to them.

Our general commanded our frigates to ply up to them as near as they could, and keep firing at them, while the rest of us did our best to get near them. Some shot was spent, but they hoised all their sails, and ran for it.

September 30, by daylight they were as far as we could discern them at top-mast-head; we pursued them as far as in sight of West Gabel in Zealand, and saw them run into Goree. Whereupon it was concluded by a council of war, seeing we were so near their shallows, and some of the frigates wanting victuals, to return to the Downs.

We were commanded not to fire till we came close to them, and our artillery did great execution.

That captain Mildmay took the Dutch rear-admiral, and another vessel in sight of their fleet took the rear-admiral, two captains, and eighty prisoners, and left the ship with the dead men in her sinking in the sea:

That three or four other of their ships were seen to sink; the whole fleet was the choicest of all their ships.

Referred to the council to treat with the Portugal ambassador, and to report his proposals to the house.

Order touching delinquents to be put into the act of confiscation.

8. Letters of the sickness increasing much in Dublin; of much peace in Ireland, and that the inhabitants generally come in, and sit down quietly in their houses. No formed troops but in some bogs in Ulster, which Reynolds and Waller are pursuing, and garrisons planting for the safety of that country: Ireland.

That the parliament have five hundred garrisons there, which fetter the rebels on all sides:

Of a mutiny among the English soldiers at Leith, for abating 12*d.* a week out of their pay towards a store; four of them were sentenced by a council of war, but the governor upon their petition ordered them to cast lots, and it fell upon one of them who was the most seditious:

Of the great respect showed to the commissioners for administration of justice in all places in Scotland where they came.

9. Letters of great guns heard at Falmouth to go off, and of two French prizes brought thither:

Of French and Dutch picaroons taking many English fishermen and other small vessels upon the western coast:

That captain Stoner met with a Dutch merchantman laden with gold and rich commodities worth 60,000*l.*, who fought stoutly till she began to sink, and some of the English mariners leaping aboard her for greediness of plunder sunk with her.

11. Letters of the proceedings of the commissioners for administration of justice in Scotland:

Of great contests in the kirk there between the assembly and the protestors:

That the Advice frigate (it is feared) is lost; that the Dutch were frighted with the Sovereign, and call her the *Golden Devil:*

That the Dutch ambassador in Denmark presseth for ships there against the enemies of the Dutch; that when the Dutch fleet were last upon the coast of Scotland they lost Storm.

seven of their ships by storm, and without saving the life of any but one boy.

12. An act passed touching claims.

An act passed to disable delinquents from bearing any office and to have vote in any elections.

Union. The bill for uniting Scotland into one commonwealth with England referred to a committee to meet with the deputies come from Scotland in the house of lords.

Order about settling courts of judicature in Scotland.

Blake. Letters that general Blake examined some defaults about the not sufficiently charging the guns of the Sovereign in the late fight, and the want of courage in one captain:

That the general sent some ships towards the Holland coast, and many up and down scouting:

From Amsterdam, that two thousand wounded men were brought to shore; that de Wit complained of many of his captains that ran away, and that the English were more in number than he:

Denmark. That the king of Denmark hath ordered the English merchants in the Sound to be brought under his castle at Elsenore, intending to confiscate them, and hath joined five of his ships with the Dutch.

I received this letter from sir William Davenant:

My Lord,

I am in suspense whether I should present my thankfulness to your lordship for my liberty of the Tower; because when I consider how much of your time belongs to the public, I conceive that to make a request to you, and to thank you afterwards for the success of it, is to give you no more than a succession of trouble, unless you are resolved to be continually patient and courteous to afflicted men, and agree in your judgment with the late wise cardinal, who was
547 wont to say, if he had not spent as much time in civilities as in business, he had undone his master.

But whilst I endeavour to excuse this present of thankfulness, I should rather ask your pardon for going about to make a present to you of myself; for it may argue me to be incorrigible, that, after so many afflictions, I have yet so much ambition as to desire to be at liberty that I may have more opportunity to obey your lordship's commands, and show the world how much I am, my lord,

Your lordship's most obliged,
most humble and obedient servant,

Tower,
Oct. 9, 1652. Will. Davenant.

13. The day of public fast solemnly observed by the parliament.

15. Letters of a lamprus fish taken near Leith as big as a London wherry:

That not above thirty or forty Irish appear together, who are pursued by the English garrisons:

Of frigates to keep the Irish coast:

That at the assizes at Chester there were but three causes, whereas there used to be one hundred:

Of recruits shipped for Ireland.

16. Of a freebooter taken in the west; and of a Holland buss taken, but run upon an anchor at Dartmouth, and was bulged, and another sunk.

18. That De Wit's fleet was gone into Goree; and he went to the Hague to excuse himself, and laid the blame upon some of his captains' cowardice; and the States appointed commissioners to examine the matter: De Wit.

That the eighteen English men of war sent to the Sound were arrived there, and the Dutch sent more thither; and the king of Denmark stayed the English merchantmen there, and offers the Dutch the sum of money which he is bound to furnish them with in time of war, and to prohibit the English to pass the Zundt during their war with the Dutch: Denmark.

That the English merchants were protected at Porto-Longone against the Dutch there:

Of a high court of justice prepared at Kilkenny for trial of the chief of the Irish rebels:

That the English fleet took ten Dutch ships in the narrow sea:

Of an insurrection in Flushing against those that were for the war with the English, and some women whose husbands were slain in the war were with them; that the English frigates cruise to and fro in the Channel, and take many ships. Dutch.

19. Letters that captain Ball lost his ship, the Antelope, of fifty-four guns, upon the coast of Shetland, only himself and company saved:

That the Englishmen in the merchants' ships at Elsenore, when they saw no hopes of those ships to be discharged by the king of Denmark, they all came away to the English fleet sent thither: Denmark.

That this fleet, in their return from Denmark, lost the Antelope, (one of their number,) run ashore on the coast of Jutland; that the rest took sixteen Dutch ships on the Dogger-bank and a Dutch freebooter.

Union. 20. Committee for the Scots union met the commissioners for Scotland, and they had a solemn debate about that business.

21. Letters that the king of Scots was complimented by the French court, and the lord Digby made governor of the Bastile at Paris.

22. Letters that captain Mutlo fell upon the Highlanders, killed divers of them, and burnt their corn and houses;

Of a strong convoy sent to bring the ships from thence with coal for London, and that the colliers were well provided for defence.

23. Letters of three Dutch men of war brought in prize to Yarmouth that were freebooters:

Of fifteen Dutch ships, laden with pitch, tar, masts, &c., and two men of war, their convoy, after a short dispute, taken by some English men of war.

25. Letters of the town of Edinburgh troubling the English merchants for trading there, unless they be free of the town, and will live there:

That the high court of justice sat at Kilkenny in the same state as it had done in England:

That seven thousand Irish were landed in Spain to serve that king, and as many more ready to be shipped for Spain:

Ireland. That the Irish were wholly subdued, and not above six or seven hundred of them left in arms, whereof, and of the affairs of Ireland, lieutenant-general Fleetwood by his letters gave an account to the parliament.

26. An act passed for continuing the commissioners of Scotland.

An act passed for continuing the commissioners for compounding.

The petition of the lord Muskerry referred to the council of state.

A pamphlet against the parliament referred to be examined by the council, and Mr. Lilly's book of *Astrological Predictions* referred to the committee of plundered ministers.

Order for audience for the king of Denmark's ambassadors.

A letter from the duke of Vendosme referred to a committee.

Votes against delinquents.

Of a Holland ship of one hundred tons taken.

27. Alderman Fowke was presented to the parliament for lord mayor of London for the next year; the recorder made a speech to the house thereupon, and in commendation of the alderman; and Mr. Speaker, by command of the house, made a speech in answer of the recorder's, and approved of the choice. Alderman Fowke.

29. The Danish ambassadors had audience, and took their leave of the parliament.

Order to exclude private business for fourteen days.

Order for a bill to confiscate some persons' estates in Scotland, and for an act of grace to others.

Order for maintenance for ministers to be put into livings in Scotland.

Letters that the commissioners for administration of justice in Scotland sat at Edinburgh, and had many criminal matters brought before them, sixty in a day for adultery, incest, &c. in the court, and proof against few of them; and the malice of people against one another so great, that they brought accusations for facts done twenty years past, and the greatest proof against them was a forced confession before the kirk: Kirk.

That some accused for witches had been tortured, to make them confess, by tying their thumbs behind them, and then hanging them up by their thumbs while two Highlanders whipped them; after which, they set lighted candles to the soles of their feet, and between their toes; then burned them, by putting light candles into their mouths, and then burning them in the head: Witches. 548

That six of them were accused, of whom four of them died of the torture. The judges resolved to examine the business, and to find out these Scots tormentors. That another woman, being accused for a witch, was kept twenty-eight days with only bread and water, and stripped naked, and laid upon a cold stone, with only an hair cloth over her; that among the accused, others had hair shirts dipped in vinegar put over them, to fetch off the skin:

That the marquis of Argyle had procured the release of the English prisoners in the Highlands, and used them very civilly.

30. Letters of some Dutch men of war appearing near Yarmouth, but upon sight of one of the parliament's frigates they got away:

That the Dutch freebooters had taken three English vessels near Newcastle.

That one of the parliament's frigates, near Plymouth, fought two hours with two Dutch men of war till night parted them:

Of two prizes taken by a private man of war, one Dutch, and the other a French vessel, laden with wine and salt:

Of a Holland prize brought into Falmouth by a parliament frigate, and was laden with considerable goods.

November 1652.

1. Letters of a little unruliness in the regiments lately come to Scotland for recruits; but two of them being sentenced by a court martial, the rest ware quiet:

Scotland. That at the assizes in Scotland one thousand appeared before the judges, accused for adulteries and other crimes committed twenty and thirty years past. No lords or lairds brought in:

That since the parliament's convoys came on the north coast, no Dutch men of war appeared; that above one hundred colliers were ready to set sail for London with them:

Of seven Dutch ships, laden, taken by one of the parliament's frigates upon the western coast, but pretend themselves Hamburghers:

Of three Dutch vessels taken near the Land's-end.

2. Debate upon the delinquents' bill, and divers voted to be inserted, and others left out.

Order for the education of the children of sir Christopher Nevil out of his estate.

Dutch. Letters from Amsterdam of their fleet ready to come forth, being one hundred and twenty sail, whereof twenty fireships, Trump's design being to convoy their merchants, being two hundred sail; that the king of Denmark was forward to assist the Dutch, who promised to save him harmless; that Sweden refused to assist the Dutch:

Of three ships taken by the Pelican, and two great Dutch

ships taken by the Nonsuch, which had in them seven hundred thousand dollars; the one pretends to be a Lubecker, the other an Hamburgher, and two more brought into the Downs:

That the English ships at Porto-Longone were beset with the Dutch, who had leave to come into the harbour upon pretence to bury some of their officers slain in the late engagement with the English; and both lay quiet there:

That the governor planted his guns, and doubled his watch, resolving not to permit them to fight.

A petition from the merchants in Scotland, agreed upon to the parliament, that those in Leith and other places may not be forced to go to Edinburgh, and live there under their slavery. Petition.

That a town of English being there will be much for the safety of the parliament's affairs in Scotland.

3. We came to some agreement of proposals to be presented to the parliament from the committee for the Scotch union. Union.

4. Letters of the seven ships taken, who pretended to be Hamburghers, but had Holland colours up, and letters to Amsterdam.

5. Letters that the few Irish yet standing out were pent up in an island, and make the sea their shelter and defence:

Of picaroons upon that coast:

That the Ulster Irish were agreed upon the articles to lay down arms:

Of two hundred colliers set sail for London.

6. Letters of Dutch freebooters taking fish from fishermen, and so let them go:

That a merchant ship of four hundred ton was by foul weather cast upon the Kentish shore, where she stuck; and the lord of the manor and people thereabouts took her lading, to the value of 40,000*l.*

7. Letters that in the Levant seas, a small fleet of the English men of war, convoying certain merchantmen from Scandaroon, were unawares assailed by eleven sail of Dutch men of war, who having great advantage of the English, and much overpowering them in number, took and blew up about five of the English ships. Dutch fleet.

Several other letters touching prizes taken by the Dutch

from the English, but many more from the Dutch by the English; and of mischief done by the picaroons on the English coasts, and of the pursuit and taking of some of them by the parliament's men of war:

That the business in Ireland was almost finished, and the enemy there in effect wholly subdued; and many of the Irish transported beyond seas, not a body of them considerable to be met with in the field:

That the forces under general Monk in Scotland had great success there, taking in divers strong places, and giving many defeats to the king's forces in the Highlands.

Union. The debate upon the bill for the Scotch union, and for an act of oblivion there, was so far proceeded in by the committee, that they ordered the report thereof to be made to the parliament.

The business of the chancery was full of trouble this Michaelmas term, and no man's cause came to a determination, how just soever, without the clamour of the party against whom judgment was given; they being stark blind in their own causes, and resolved not to be convinced by reason or law.

Cromwell. It was about this time, in a fair evening, I being walking in St. James's park, to refresh myself after business of toil, and for a little exercise, that the lord general Cromwell meeting with me, saluted me with more than ordinary courtesy, and desired me to walk aside with him, that we might have some private discourse together; I waited on him, and he began the discourse betwixt us, which was to this effect:

White-locke. *Cromwell.* My lord Whitelocke, I know your faithfulness and engagement in the same good cause with myself and the rest of our friends, and I know your ability in judgment, and your particular
549 friendship and affection for me, indeed I am sufficiently satisfied in these things; and therefore I desire to advise with you in the main and most important affairs relating to our present condition.

Whitelocke. Your excellency hath known me long, and, I think, will say that you never knew any unfaithfulness or breach of trust by me; and for my particular affection to your person, your favours to me, and your public services, have deserved more than I can manifest, only there is (with your favour) a mistake in this one thing, touching my weak judgment, which is uncapable to do any considerable service for yourself or this commonwealth; yet to the

utmost of my power I shall be ready to serve you, and that with all diligence and faithfulness.

Cromwell. I have cause to be, and am, without the least scruple of your faithfulness, and I know your kindness to me, your old friend, and your abilities to serve the commonwealth, and there are enough besides me that can testify it: and I believe our engagements for this commonwealth have been and are as deep as most men's, and there never was more need of advice and solid hearty counsel than the present state of our affairs doth require.

Whitelocke. I suppose no man will mention his particular engagement in this cause, at the same time when your excellency's engagement is remembered, yet to my capacity and in my station few men have engaged further than I have done, and that (besides the goodness of your own nature and personal knowledge of me) will keep you from any jealousy of my faithfulness.

Cromwell. I wish there were no more ground of suspicion of others than of you, I can trust you with my life, and the most secret matters relating to our business, and to that end I have now desired a little private discourse with you; and really, my lord, there is very great cause for us to consider the dangerous condition we are all in, and how to make good our station, to improve the mercies and successes which God hath given us, and not to be fooled out of them again, nor to be broken in pieces by our particular jarrings and animosities one against another, but to unite our counsels and hands and hearts, to make good what we have so dearly bought with so much hazard, blood, and treasure; and that the Lord having given us an entire conquest over our enemies, we should not now hazard all again by our private janglings, and bring those mischiefs upon ourselves which our enemies could never do.

Whitelocke. My lord, I look upon our present danger as greater than ever it was in the field, and (as your excellency truly observes) our proneness to destroy ourselves, when our enemies could not do it. It is no strange thing for a gallant army (as yours is) after full conquest of their enemies, to grow into factions and ambitious designs, and it is a wonder to me that they are not in high mutinies, their spirits being active, and few thinking their services to be duly rewarded, and the emulation of the officers breaking out daily more and more in this time of their vacancy from their employment; besides the private soldiers, it may be feared, will in this time of their idleness grow into disorder, and it is your excellent conduct, which, under God, hath kept them so long in discipline, and free from mutinies.

Cromwell. I have used and shall use the utmost of my poor endeavours to keep them all in order and obedience.

Whitelocke. Your excellency hath done it hitherto even to admiration.

Cromwell. Truly God hath blessed me in it exceedingly, and I hope will do so still. Your lordship hath observed most truly the inclinations of the officers of the army to particular factions, and to murmurings, that they are not rewarded according to their deserts, that others who have adventured least have gained most, and they have neither profit, nor preferment, nor place in government, which others hold who have undergone no hardships nor hazards for the commonwealth; and herein they have too much of truth, yet their insolency is very great, and their influence upon the private soldiers works them to the like discontents and murmurings.

Then as for the members of parliament, the army begins to have a strange distaste against them, and I wish there were not too much cause for it, and really their pride and ambition and self-seeking, engrossing all places of honour and profit to themselves and their friends, and their daily breaking forth into new and violent parties and factions;

Their delays of business and design to perpetuate themselves, and to continue the power in their own hands; their meddling in private matters between party and party, contrary to the institution of parliaments; and their injustice and partiality in those matters, and the scandalous lives of some of the chief of them; these things, my lord, do give too much ground for people to open their mouths against them and to dislike them.

Nor can they be kept within the bounds of justice and law or reason, they themselves being the supreme power of the nation, liable to no account to any, nor to be controlled or regulated by any other power; there being none superior or coordinate with them.

So that unless there be some authority and power so full and so high as to restrain and keep things in better order, and that may be a check to these exorbitances, it will be impossible in human reason to prevent our ruin.

Whitelocke. I confess the danger we are in by these extravagances and inordinate powers is more than I doubt is generally apprehended; yet as to that part of it which concerns the soldiery, your excellency's power and commission is sufficient already to restrain and keep them in their due obedience, and, blessed be God, you have done it hitherto, and I doubt not but by your wisdom you will be able still to do it.

As to the members of parliament I confess the greatest difficulty lies there, your commission being from them, and they being acknowledged the supreme power of the nation, subject to no controls, nor allowing any appeal from them.

Yet I am sure your excellency will not look upon them as generally depraved, too many of them are much to blame in those things you have mentioned, and many unfit things have passed among them; but I hope well of the major part of them, when great matters come to a decision.

Cromwell. My lord, there is little hopes of a good settlement to be made by them, really there is not; but a great deal of fear that they will destroy again what the Lord hath done graciously for them and us; we all forget God, and God will forget us, and give us up to confusion; and these men will help it on, if they be suffered to proceed in their ways; some course must be thought on to curb and restrain them, or we shall be ruined by them.

Whitelocke. We ourselves have acknowledged them the supreme power, and taken our commissions and authority in the highest concernments from them, and how to restrain and curb them after this it will be hard to find out a way for it.

Cromwell. What if a man should take upon him to be king?

Whitelocke. I think that remedy would be worse than the disease.

Cromwell. Why do you think so?

Whitelocke. As to your own person the title of king would be of no advantage, because you have the full kingly power in you already, 550
concerning the militia, as you are general.

As to the nomination of civil officers, those whom you think fittest are seldom refused; and although you have no negative vote in the passing of laws, yet what you dislike will not easily be carried, and the taxes are already settled, and in your power to dispose the money raised. And as to foreign affairs, though the ceremonial application be made to the parliament, yet the expectation of good or bad success in it is from your excellency, and particular solicitations of foreign ministers are made to you only.

So that I apprehend indeed less envy and danger and pomp, but not less power and real opportunities of doing good in your being general, than would be if you had assumed the title of king.

Cromwell. I have heard some of your profession observe, that he who is actually king, whether by election or by descent, yet being once king, all acts done by him as king are lawful and justifiable, as by any king who hath the crown by inheritance from his forefathers; and that by an act of parliament in Hen. VII's time, it is safer for those who act under a king (be his title what it will) than for those who act under any other power.

And surely the power of a king is so great and high, and so universally understood and reverenced by the people of this nation, that the title of it might not only indemnify in a great measure those

that act under it, but likewise be of great use and advantage in such times as these, to curb the insolences and extravagances of those whom the present powers cannot control, or at least are the persons themselves who are thus insolent.

Whitelocke. I agree in the general with what you are pleased to observe as to this title of king, but whether for your excellency to take this title upon you, as things now are, will be for the good and advantage either of yourself and friends, or of the commonwealth, I do very much doubt, notwithstanding that act of parliament 11 Hen. VII, which will be little regarded or observed to us by our enemies if they should come to get the upper hand of us.

Cromwell. What do you apprehend would be the danger of taking this title?

Whitelocke. The danger I think would be this, one of the main points of controversy betwixt us and our adversaries is, whether the government of this nation shall be established in monarchy or in a free state or commonwealth, and most of our friends have engaged with us upon the hopes of having the government settled in a free state, and to effect that have undergone all their hazards and difficulties.

They being persuaded, (though I think much mistaken,) that under the government of a commonwealth they shall enjoy more liberty and right, both as to their spiritual and civil concernments, than they shall under monarchy; the pressures and dislike whereof are so fresh in their memories and sufferings.

Now if your excellency shall take upon you the title of king, this state of our cause will be thereby wholly determined, and monarchy established in your person; and the question will be no more whether our government shall be by a monarch or by a free state, but whether Cromwell or Stuart shall be our king and monarch.

And that question, wherein before so great parties of the nation were engaged, and which was universal, will by this means become in effect a private controversy only; before it was national what kind of government we should have, now it will become particular who shall be our governor, whether of the family of the Stuarts or of the family of the Cromwells.

Thus the state of our controversy being totally changed, all those who were for a commonwealth (and they are a very great and considerable party) having their hopes therein frustrated will desert you, your hands will be weakened, your interest straitened, and your cause in apparent danger to be ruined.

Cromwell. I confess you speak reason in this, but what other thing can you propound that may obviate the present dangers and difficulties wherein we are all engaged.

Whitelocke. It will be the greatest difficulty to find out such an expedient; I have had many things in my private thoughts upon this business, some of which perhaps are not fit or safe for me to communicate.

Cromwell. I pray, my lord, what are they? you may trust me with them, there shall no prejudice come to you by any private discourse betwixt us; I shall never betray my friend, you may be as free with me as with your own heart, and shall never suffer by it.

Whitelocke. I make no scruple to put my life and fortune in your excellency's hand, and so I shall if I impart these fancies to you, which are weak and perhaps may prove offensive to your excellency, therefore my best way will be to smother them.

Cromwell. Nay, I prithee, my lord Whitelocke, let me know them, be they what they will, they cannot be offensive to me, but I shall take it kindly from you; therefore I pray do not conceal those thoughts of yours from your faithful friend.

Whitelocke. Your excellency honours me with a title far above me, and, since you are pleased to command it, I shall discover to you my thoughts herein, and humbly desire you not to take in ill part what I shall say to you.

Cromwell. Indeed I shall not, but I shall take it (as I said) very kindly from you.

Whitelocke. Give me leave then first to consider your excellency's condition: you are environed with secret enemies; upon your subduing of the public enemy, the officers of your army account themselves all victors, and to have had an equal share in the conquest with you.

The success which God hath given us hath not a little elated their minds, and many of them are busy and of turbulent spirits, and are not without their designs how they may dismount your excellency, and some of themselves get up into the saddle, how they may bring you down and set up themselves.

They want not counsel and encouragement herein, it may be, from some members of the parliament, who may be jealous of your power and greatness, lest you should grow too high for them, and in time overmaster them; and they will plot to bring you down first, or to clip your wings.

Cromwell. I thank you that you so fully consider my condition, it is a testimony of your love to me and care of me, and you have rightly considered it, and I may say, without vanity, that in my condition yours is involved and all our friends, and those that plot my ruin will hardly bear your continuance in any condition worthy of you.

Besides this, the cause itself may possibly receive some disad-

vantage by the strugglings and contentions among ourselves: but what, sir, are your thoughts for prevention of those mischiefs that hang over our heads?

Whitelocke. Pardon me, sir, in the next place, a little to consider the condition of the king of Scots:

This prince being now by your valour, and the success which God hath given to the parliament and to the army under your command, reduced to a very low condition, both he and all about him cannot but be very inclinable to hearken to any terms, whereby their
551 lost hopes may be revived of his being restored to the crown, and they to their fortunes and native country.

By a private treaty with him you may secure yourself and your friends, and their fortunes; you may make yourself and your posterity as great and permanent, to all human probability, as ever any subject was, and provide for your friends. You may put such limits to monarchical power as will secure our spiritual and civil liberties, and you may secure the cause in which we are all engaged; and this may be effectually done, by having the power of the militia continued in yourself, and whom you shall agree upon after you.

I propound therefore for your excellency to send to the king of Scots, and to have a private treaty with him for this purpose; and I beseech you to pardon what I have said upon the occasion; it is out of my affection and service to your excellency, and to all honest men; and I humbly pray you not to have any jealousy thereupon of my approved faithfulness to your excellency and to this commonwealth.

Cromwell. I have not, I assure you, the least distrust of your faithfulness and friendship to me, and to the cause of this commonwealth, and I think you have much reason for what you propound; but it is a matter of so high importance and difficulty, that it deserves more of consideration and debate than is at present allowed us.

We shall therefore take a further time to discourse of it.

With this the general brake off, and went to other company, and so into Whitehall, seeming, by his countenance and carriage, displeased with what I had said; yet he never objected it against me in any public meeting afterwards;

Only his carriage towards me from that time was altered, and his advising with me not so frequent and intimate as before; and it was not long after that he found an occasion, by an honourable employment, to send me out of the way, (as some of his nearest relations, particularly his daughter Cleypoole, confessed,) that I might be no obstacle or impedi-

ment to his ambitious designs; as may appear by the process of this story.

December 1652.

About the beginning of this month, general Blake himself was engaged with the whole fleet of the Dutch, but having great disadvantage in the numbers, and the wind not favouring him, though his squadron fought very gallantly, and did much harm to the Dutch; yet he came off with the loss of the Garland and Bonaventure, two good ships, and some other of less force. Blake.

Many letters and intelligences came of further successes in Scotland by the forces under general Monk in the Highlands: others, of several prizes taken by the parliament's ships from the Dutch, and of losses of some English ships taken by the Dutch, and transporting some Irish to the service of the king of Spain. Monk.

The parliament were very busy in debate of several acts of parliament under consideration, but very little was brought to effect by them. Parliament.

The soldiers grumbled at their delays, and there began to be ill blood between them; the general and his officers pressed the putting a period to their sitting, which they promised to do, but were slow in that business.

The business of the chancery being over, and I sufficiently tired with it, and with the business of the council of state, I got leave towards the end of this month to go into the country, and retired myself at Fawley-court.

January 1652.

The preparations for the navy, and the war at sea with the Dutch, went on with great vigour; and the parliament were quick in it, and referred it to the council of state to take care of it: Navy.

And they were diligent in their business, and cautious to have money in readiness for it, and to settle amities with foreign princes, and such correspondences, that there might be the less assistance to their enemies, or joining with them.

Intelligences came of the continuance of their successes in Scotland, and of the peaceable condition of their affairs in Ireland. Scotland.

The kings of France and of Spain, and the queen of Sweden, sent hither their ambassadors and public ministers to treat for the settling of leagues and trade. Foreign ministers.

Seamen encouraged. Upon a report from them, the parliament passed several resolutions for the encouragement of seamen in their service; as for advancement of some pay to them beforehand, and to leave some subsistence to their families during their absence.

That for every ship taken, which should be adjudged good prize, they should have 40*s.* per ton, and 6*l.* for every piece of cannon taken or found in the prize ships, to be equally distributed according to their qualities; and that they should have 10*l.* for every cannon which should be taken aboard of any ship which they should sink or fire.

That whoever should enrol themselve swithin forty days in the parliament's service, should, as a gratuity, receive a month's pay not to be passed to account; that hospitals should be erected at Dover, Deal, and Sandwich, for sick and wounded seamen brought on shore, and a stock settled for maintenance of them, and of other sick and wounded men, who by reason of their diseases and wounds could not be brought on shore.

Placard. These and other encouragements caused the seamen to come flocking into the service of the parliament; and although the Hollanders had prohibited the importing of pitch, tar, hemp, and other materials of navigation, by any nation whatsoever, into England, a placard of sufficient insolency; yet the council of state had provided sufficient stores, and had prepared and equipped a gallant navy.

In the Levant, captain Bodiley coming from Porto-Longone to the relief of captain Appleton, who was blocked up in the mole of Leghorn, the Dutch there set upon Bodiley, and destroyed two or three of his ships.

February 1652.

Sea fight. The parliament's fleet at sea had great success this month in a fight with the Dutch, between Portland and the Isle of Wight, about the twentieth of this month; in which battle both the officers, mariners, and soldiers of both parties behaved themselves with great courage and gallantry.

But it pleased God so to favour the English, that, after a sharp and bloody fight, the Dutch were wholly routed and overcome; and had a sore and terrible loss both of their ships
552 and men; the English lost likewise many men, but came off with a great victory.

Several letters also came of the successes of the army in

Scotland, and the submission of more of the Irish rebels. All these passages conduced to the raising up not only of the reputation, but with it of the spirits and ambition of Cromwell and the officers of the army.

Cromwell and the army against the parliament.

And they now began to assume to themselves all the honour of the past actions, and of the conquests by them achieved: scarce owning the parliament and their assistance and provision for them; but taxing and censuring the members of parliament for injustice, and delay of business, and for seeking to prolong their power and promote their private interest, and to satisfy their own ambition.

With these and many others the like censures they endeavoured to calumniate the parliament, and judge them guilty of those crimes whereof themselves were faulty, not looking into their own actions, nor perceiving their own defaults; yet censuring the actions and proceedings of the parliament very opprobriously.

March 1652.

The drift of Cromwell and his officers was to put an end to this parliament, which many wondered at, and sought to dissuade him from it upon all opportunities as far as it was thought convenient, and that they might not appear desirous to continue their own power and sitting in parliament; whereof they had cause to be sufficiently weary.

Neither could it be clearly foreseen that their design was to rout the present power, and to set up themselves; against the which they were advised, as pulling down the foundation of their own interest and power, and the way to weaken themselves, and hazard both their cause and persons.

Yet still they seemed zealous, upon their common pretences of right and justice and public liberty, to put a period to this parliament; and that if the parliament would not shortly do it themselves, that then the soldiers must do it.

I always and earnestly declared my judgment against this, as the most dangerous and most ungrateful thing that could be practised; by this freedom I gained no favour with Cromwell and his officers.

But there wanted not some parliament-men perhaps to flatter with them, who soothed them in this unhandsome design, and were complotting with them, to ruin themselves, as by the consequence will appear.

Letters of Dutch freebooters and French picaroons in-

festing the coast, and that in Britain they are building new ships of war to infest the English:

Prince Rupert. That prince Rupert, with three ships only, was come into Nantes; that he could give no account of his brother, and his ships, which were separated from him by a hurricane in the Indies; and he believed they were cast away.

Captain Bodiley. From Leghorn, that the duke, by the instigation of the Dutch, demanded restitution of the Phœnix frigate, recovered by a bold adventure of the English; and the duke sent to captain Bodiley, that he having refused to restore the Phœnix to the Dutch, it was his highness's pleasure that all the English ships should depart the port within ten days, and Bodiley prepared to depart accordingly:

That the Dutch admiral sent a protest on shore by four of his captains, that if his highness would not restore the Phœnix, they would fall upon the English ships in the mole, and they warned other ships to withdraw:

Thereupon the Dutch were commanded to retire out of shot of the castles; and their consul on shore was sequestered, a guard put upon his house, and all the Dutch clapped into hold.

22. An act passed for continuing the imposition upon coals, towards the building and maintaining of ships:

Another passed for continuance of the customs.

Lord Lisle. Instructions debated in the house for the lord viscount Lisle to go ambassador extraordinary from the parliament of the commonwealth of England to the queen of Sweden.

Holland. The speaker acquainted the house, that he received letters from the States of Holland and West-Frizeland; which the house referred to some of their members to examine the messenger, and appointed a day for debate of the letters.

The Fairfax frigate of fifty guns was in Chatham burned by accident of a candle or snuff of tobacco.

A proclamation was published in St. Malos, that no eatable provisions, nor pitch, tar, or cordage, should be exported, on forfeiture of the vessels and goods.

Scots. From Edinburgh, that some clans in the Highlands had meetings and rendezvouses, and that they have meetings in the Lowlands; and that the general assembly and the remonstrators, or dissenting brethren, meet in several places, and carry on a different interest:

That commissary Grey and others of the Highland party were taken by the parliament's army.

From the Hague, the victory is now confessed to be of the English side in the late engagement at sea; they having seen the names of their ships that are lost, and finding their hospitals crowded with seamen, and the number of them abroad lessened: Dutch.

That they wonder at the sudden and great preparations of the English fleets, and are discontented that their trade is gone; that in a late mutiny about pressing of seamen there, thirty were killed:

That the States told the people, that some were coming from England to offer terms of peace:

That the States had sent a letter to the parliament, lamenting the bloodshed of protestants by this unhappy difference, and how much better it would be to have an union and amity.

Upon the debate of the letter from the States, the parliament referred it to the council of state to prepare an answer to it.

From Edinburgh, that the dissenting brethren have ordered some particulars concerning kirk affairs, as for the more orderly and frequent administration of the sacrament, and excluding of profane persons from it. Scotland.

From Jersey, that in a fight at sea between an Ostender and a bark of Jersey, she was taken by the Ostender, and they were met with by a parliament frigate, who brought them both into England.

From Weymouth, that, since the last northerly winds, the fishermen fish nothing but shipwreck and dead men; and that the French are unwilling to believe that the English did beat the Dutch in the late engagement:

That the French rovers and the Dutch do much harm upon the English coast. 553

Letters from the officers and soldiers at Edinburgh, in answer to some letters from the army in England, wherein they all agree to join for the reformation of things amiss, and that justice and liberty may have a free passage. Army.

This was but in effect a proceeding in their contrivances to pull down the parliament and to set up themselves.

A letter passed in the house in answer to the letter from the States, and setting forth the parliament's readiness as formerly, to have prevented these wars, and to prosecute a fit Holland.

way to close up the same, and to settle amity, peace, and a mutual confidence between the two nations.

Of discontents among the Dutch, missing many thousands of their friends since the late engagement, but the lords tell them, that the men are safe in the ports of France; that they threaten to block up the Thames:

That they cry up the king of Scots' interest, and that he hath offered to serve them at sea in person, but that Holland will yet give no ear to it:

That they murmur at a new tax and some refuse to pay it; of two Dutch ships taken prize:

Scots declaration. Of three declarations of the Scots' presbytery published:

1. Against the malignant assembly for espousing the king's interest.

2. Against the English for breach of covenant and toleration of sects.

3. Against the new Scots dippers.

Sea fight. Particulars of the fight in the Straits between the Dutch and captain Bodiley; that the Bonadventure, one of his ships, was blown up, and all her men lost but seven; that the Sampson, another of his ships, was laid on board on one side by a Dutch man of war, and fired on the other side by one of their fireships, but most of her men hoped to be saved by getting aboard the Mary; that other of their ships, three in number, were taken by the Dutch:

That six great men of war were sent from the Texel to lie in the mouth of the Elbe, to search and examine all ships bound for England.

END OF VOL. III.

BINDING SECT. SEP 17 1968

DA
400
W5
1853
v.3

Whitelocke, (Sir) Bulstrode
Memorials of the English affairs New ed.

PLEASE DO NOT REMOVE
CARDS OR SLIPS FROM THIS POCKET

UNIVERSITY OF TORONTO LIBRARY